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1 P J Marshall, *Bengal The British Bridgehead, The Cambridge History of India*, (Cambridge 1987), 77, 91-95

2 Willem Van Schendel, 'Economy of the Working Classes', Sirajul Islam (ed), *History of Bangladesh 1704-1971*, Vol II, (Economic History), (Asiatic Society of Bangladesh 1992), 542-99

3 W H Morris-Jones, "Pakistan Post-Mortem and the Roots of Bangladesh", *Political Quarterly*, Vol 18 (April-June) 1972, 187-200

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CONTENTS

The Cargo and Culture of the New Englanders' Voyages to Calcutta 1785 - c. 1850 1
Sirajul Islam

India and the Near East The Bridge of Arabia 41
Jean-Francois Salles

The 1940 Lahore Resolution Bengali Ideas of Statehood 59
Harun-or-Rashid

Nawab Abdul Latif's Contribution to the Education of the Muslims of Bengal 69
M. Shafiqul Alam

Aspects of Sanskrit Literary Criticism 83
Dhirendra Nath Tarafdar

A Policy of Balance Between India and Pakistan The Truman Administration and the Kashmir Dispute 1947-1952 96
A. M M. Saifuddin Khaled

United States Global Military Strategy in the Nineties . The Third World Perspective
Muhammad Shahiduzzaman

Some Thoughts on Promotion of Entrepreneurship in Small Business in Bangladesh 165
Nazma Ara Hussain

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REVIEWS OF BOOKS

Misbahuddin Khan, *Records of the Commissioners of the Port of Chittagong , 1884-1900* 151
Sirajul Islam

Kamal Siddiqui (ed), *Local Government in Bangladesh,* (Revised second edition) 157
Salahuddin Aminuzzaman

Ali Ahmed, *Ombudsman for Bangladesh* 165
Bazlur R. Khan

Sk Abdul Latif, *The Muslim Mystic Movement in Bengal, 1301 – 1550* 169
M. R. Tarafdar

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THE CARGO AND CULTURE OF THE NEW ENGLANDERS' VOYAGES TO CALCUTTA 1785 - c.1850

SIRAJUL ISLAM*

It was a transforming, transfiguring vision : a triumphant, new, regenerate people driven by dreams of Revolution sallying out to eastern seas for wealth, glories and greatness. The American merchant ship the *United States* cleared from Philadelphia and mastered by Thomas Bell, first entered the Bay of Bengal at Madras in December 1784. But trade did not begin significantly, until the ship *Chesapeake* arrived at Calcutta in late 1787. Since then trading activities between New England and Bengal increased steadily and progressively and by the turn of the century the United States of America, according to an official estimate, had surpassed all other participants excepting the English East India Company in terms of aggregate value and volume of trade carried on by them in the region.[1] But American dominance in the partnership of Bay of Bengal trade could not be sustained for long Consequent upon many changes, shifts and turns in domestic and international scenes America found 'India trade' increasingly discouraging From the 1820s fewer and fewer voyages were undertaken and by the 1850s America was no longer an important power in Bengal export trade.

Although America's trading contact with Bengal on an extensive scale lasted for only little over half a century, its historical significance was not negligible at all "The East India Trade", to quote a memorandum (1819) of the commercial community of Salem, "contributed largely to the employment of the capital... It has quickened the march of agriculture. It has materially sustained the credit and finances of the nation. . It has given birth to our naval power It has contributed to the productive capital when our capital was small, our agriculture was

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depressed, and our finances were embarrassed."[2] Conversely, by participating in the Bengal export trade, the Yankee* merchants had made very significant contributions to the expansion of Bengal export market [3] Equally significant was the cultural output yielded by the Yankee voyages to Calcutta. Their contact had been productive of many activities conducive to the enrichment of American mind, arts and sciences. But unfortunately the Bengal chapter of America's rise to power has not yet properly been evaluated as it deserves Scholars have paid considerable attention, quite deservedly though, to America's Canton trade which began at the same time and under the same circumstances, but they have so far paid scant attention to Calcutta trade though the latter had been the focus of America's eastern trade until the middle of the nineteenth century America's maritime presence in the Bay of Bengal, as a more or less unexplored area, offers many facets for discussions—navigation, shipbuilding, financing, underwriting, captains and crew, management and organization of voyages, domestic and international competitions, profits and losses, war and embargoes, cargo composition and cultural contents of cargoes, and so on This paper proposes to discuss the last two inter-related subjects on the supposition that these will bring into surface a fascinating picture of contemporary New England or Yankee social psychology and their economic need for undertaking daring voyages to unknown seas, and the momentous changes that these voyages had brought about in the society, economy and maritime technology of the new nation, on the one hand, and the impact of American partnership on the economy and society of Bengal, on the other In both ways, the discussions may pave the way to further inquiries

Passage to Bay of Bengal

Though the Yankees were well-known for their long sea-faring tradition, they had never before navigated to the Indian Ocean for commerce The British colonial Navigation Act kept their navigation restricted to the coast-wise trade The Revolution and the Paris Peace Treaty (1783) had freed them from those restrictions, yet they seemed to have been least interested in navigating into the east Rather they were looking forward to having large scale business with Britain and other European powers after peace was established The idea of organizing

* In contemporary America and Europe the settlers in New England were commonly termed as Yankees The term carried no derogation then

voyages to the 'East Indies' was conceived and executed only when the imagined big business with Europe did not materialize In the wake of the Paris Peace Treaty all maritime nations of Europe including Britain relapsed to mercantile practices and they tended to seek protection and promotion of their mutual interest by making bi-lateral trade agreements with nations in amity. As the Continental Congress had no jurisdiction over foreign commerce of the States and as these were following no uniform policies as regards commerce and currencies, tariffs and shipping, no state of Europe including Britain was eager to enter into trade agreement with the United States of America until the anomalies were removed.[4] All the capital liquidated during the course of the War of Independence and all the fortunes made through privateering during the war were now resting uninvested for lack of investment opportunities, and all the big ships built during the war for privateering were rotting at wharves because these were no good for coast-wise trade.

It was in this setting that the mercantile classes of New England resolved to seek alternative opportunities in the east John Adams, the natural representative of the commercial Yankees, who was sent to London as a Minister to negotiate trade treaties, was unable to make any agreement with Britain From London he wrote to John Jay, the Secretary for Foreign Affairs, "Necessity would force us to carry our trade where we could find a market for our produce, and if England would not receive it upon living terms, we must carry it to the East Indies "[5]

Adams was, of course, conscious that America could offer few commodities which could be exchanged with eastern goods Yet, he could foresee great prospect in colonial carrying trade The ill-gotten fortunes that the servants of the East India Company amassed in India were mostly remitted home clandestinely in cargo through the agencies of the Dutch, Danes and French Companies operating in their Indian settlements [6] America could participate in that huge clandestine remittance trade most profitably In favour of seizing that opportunity Adams wrote to Jay, "There are many persons in the European factories in India particularly the English who have accumulated large property, which they wish to transmit to Europe, but have not been able to do it. .. These would be glad to sell us their commodities, and take our bills of exchange upon Europe or America Therefore, there is no better advice to be given to the merchants of the United States, than to push their commerce to the East Indies as fast and as far as it will go "[7]

For various reasons the Anglo-Indian remittance interests were also very eager to invite the Americans to participate in the remittance trade. The remitters were never happy with the continental agents, because they always took advantage of the clandestine nature of the trade and never hesitated to fatten themselves at the expense of the remitters More importantly, clandestine remittance via the continental ports was made a penal offence under the Pitt's India Act of 1784 [8] The British India Government was also keen to receive the Americans, because the government was then running at a loss and the Company's investment was too small to manage all the exports of the country by itself. The government was suffering from acute silver crisis which was affecting the internal revenue collections, and the management of the China trade. In the American merchants the government found the prospect of increased silver inflow and increased export of Bengal products Hence the government found it advantageous to accommodate the Americans within the fold of the monopoly status of the Company [9]

The first ship to sail for India was the *United States*, which was cleared from Philadelphia on March 24, 1784. Thomas Bell was the apparent master, but the ship was actually piloted by Captain Patrick Lawson, an Anglo-Indian merchant [10] The first ship to go to Calcutta was the *Hydra* which was jointly sponsored by Christopher Champlin of Rhode Island and Captain William Green, a remittance merchant of London.[11] After a long gap the ship *Chesapeake* mastered by Captain O'Donnel, a former British naval officer at Bombay, reached Calcutta in July 1787 The firm of Brown and Francis of Providence sent the ship *General Washington* to Calcutta in December in 1787 The voyage was guided by one Heley, an Anglo-Indian merchant of London The man who gave the greatest leadership in the opening and development of India trade was Elias Hasket Dervy of Salem.[12] His counting house had produced a generation of shipmasters and mariners who made Salem the leading port in India trade.

Though the early voyages had opened the trade route to Calcutta, most merchants preferred to go to port St. Louis of Isle de France, where they could collect India goods from the 'country traders' most advantageously But the trend was changed by the onset of the revolutionary war in Europe. Due to British blockade of the island country trading remained suspended and thus the Yankee merchants

were compelled to shift their entrepot of eastern trade from St Louis to Calcutta The Revolutionary war came as a great boon to America's eastern trade. At sea belligerents were seizing each other's ships and consequently almost the whole of the carrying trade of the colonial powers slipped on to the Yankees because America was neutral in the war, and therefore, consignments on American vessels were safe from seizures. Recalling this great gift of the war a congressional report (1822) observed, "we carried (then) not only the colonial productions to the several parent states, but also became the purchasers of them in French, Spanish, Dutch colonies A new era was established in our commercial history "[13]

Social Scenario of Voyages

The American ports concerned with the Calcutta trade were all located in New England—Boston, Beverly, Baltimore, Gloucester, Marblehead, Newbury Port, Providence and Salem All these ports which were little more than fishing centres before, became vary active in eastern trade and fitted out voyages very regularly Among all these ports Salem stood out pre-eminent in eastern trade. Most of the ports fell out of competition over time and yielded to Salem and Boston From the 1820s Salem was also losing grounds to Boston which ultimately remained as the only port to trade with India after the 1840s.

The fleets used in Calcutta trade present a fascinating scene of Yankee audacity and imagination. Unlike all other competing nations who used very large vessels for Indian Ocean navigation the Yankees went there with tiny carriers. For example, while none of the East India Company's Indiamen was below 500 tons burden, the largest Yankee vessel ever visiting Calcutta was the *Grand Trunk* which was only 365 tons burden, and most of their vessels were within the range of 160 to 300 tons burden. Dennett thinks that the use of these tiny vessels in preference to larger crafts of European type, "bears witness to the poverty of the traders and their lack of capital As rapidly as wealth permitted the Americans built larger crafts "[14] His assertion is not supported by the New England ship registers which indicate that very few vessels used in Indian Ocean navigation were built above 275 tons burden To compete with other nations successfully the Yankee merchants adopted the strategy of faster communication, to reach the market well before other

companies. To increase speed of vessels they made all sorts of experiments in riggings The famous clipper ship, which was light in tonnage, was the outcome of their experimentation Speed was their slogan, not heavy tonnage Because they knew it well that the high tonnage ship was economic only for the monopoly companies who were privileged with the protected market.

The Yankee adventurers were not only noted for their smallest vessels all maritime nations, but also for their captains and crew who were much younger in age Majority of them were, as it appears from crew lists, either teenagers or post teenagers For example, all the officers of the Derby ship *Benjamin's* voyage to Calcutta in 1792 were teenagers and the vessel was only 160 tons burden The master of the ship, Captain Nathaniel Silsbee, later elected a Senator from Massachusetts, was only nineteen, and his first mate Charles Derby, was nineteen, again The Captain's clerk, Richard J Cleveland, the grandfather of President Cleveland of later days, was not yet nineteen when the ship left Salem. To quote Silsbee, "Neither myself nor the chief mate of the ship (Benjamin) had attained the age of twenty-one when we left home, and it was remarked to me by the naval officer, that papers had been issued from that office to a vessel to the East Indies the captain and chief mate of which were both minors "[15] Entrusting all teenagers with the responsibility of a ship and its cargoes worth twenty thousand dollars for a long and rough Indian Ocean voyage was certainly a matter of supreme courage and confidence shown on the part of those who offered the responsibility and also on the part of those who accepted it However, the voyage returned safely and yielded high profits It may be an extreme case of dare-devil act of the Yankee merchants and manners But on the whole Indian Ocean voyages were always manned by the teenagers Unlike the crew of the Indiamen who were drawn from the dregs of the cities , these Yankee boys were mostly of farming background and they were highly puritan in religious outlook

Of the ship owners and shipmasters it may be fairly generalized that at the early stage of Calcutta trade, say upto 1800, they were more or less indivisible. The ship owners were also the shipmasters, and sometimes even supercargoes. Many of them inherited the family enterprise of ship owning like the Derbys and Devereauxes, and many upgraded themselves to ship owning status through hard labour and entreprenurial drive, like the Crowninshields, Clevelands and Silsbees of Salem, Thorndikes of

Beverly, Cabots and Lees of Boston. The quickest way to success at sea was to get married in a ship owning family or to join a counting house of some leader builder like Elias Hasket Derby.

The extreme profitability of Calcutta trade, thanks to the French Revolutionary War, had created a great enthusiasm among the adventurers who took it as the surest way to success The craze for Calcutta trade became so widespread that everybody who had some capital and nautical experience was found to be eager to join a voyage either as an organizer or as an officer Edward Hooker, the diarist, observed the 'Yankee craze to build a small vessel and fit it out for an India voyage'. Quoting a Congress member's speech he remarked, "the Yankees were sallying out from every little village where a boat of a few tons burden, and that will hold five Yankees can come up, and entering on East India voyages with a little Ginsen to barter with, and the rest of the cargo in dollars "[16] But the craze subsided after the war of 1812. When India trade was resumed in 1815, only the large ship owning capitalists of Salem, Boston and Philadelphia were found to be active in it. From this time we also notice the clear separation of the shipmasters from the ship owners who became now specialized in their respective areas. Financing the voyages also became more institutionalized The families which emerged to control the Calcutta trade as a small club of big capitalists were the famous Peabodys, Gardners, Lowells, Higginsons, Bullards, Lees, Browns, Thorndikes and the Pickerings [17] The days of the pioneers thus passed quietly

Cargoes

Bengal was traditionally an exporting country Always it exported more and imported less , and consequently, foreigners who came to Bengal for trading, had to bring enough specie with them to pay for their purchases To this rule the Yankee merchants were no exception. Few of their domestic products had any demand market in Bengal, and therefore, they had to import into Calcutta sufficient specie to buy the homeward cargoes How this outward cargo, specie, was gathered must be discussed before we proceed to look at the inward cargoes

The quantum of treasure imported by the American merchants into Calcutta cannot be ascertained accurately. The Calcutta port returns do not provide the full picture, because all the treasures that were imported were never declared and also because all the imports were not made by

the Yankees under American colours. Yet a crude estimate may be attempted. The Table 1 indicates that from 1802 to 1807, the United States of America had exported to Calcutta, in merchandise, an aggregate of $431598 and in treasure, $2937712 annually. During the same period export to America, in Merchandise, stood at $3105571 and in treasure, $11583 annually, thus leaving to the favour of Calcutta an annual balance of $2662390. The deficit was obviously balanced by specie.

Table 1 : A quantitative Statement of America's Trade with Calcutta, 1802-1807

	Imports into India			Export to America		
Year	Merchandise	Treasure	Total	Merchandise	Treasure	Total
	*Sicca Rs.	Sicca Rs		*Sicca Rs.	Sicca Rs.	
1802	485265	5055463	5540728	5247240	43250	5290490
1803	278658	5200540	5479198	6921366	89528	7010894
1804	652497	4252049	4904546	3698794	—	3698794
1805	1581077	7104282	8688356	7715211	—	7715211
1806	1938466	9785180	11721640	10120989	21668	10142657
1807	818681	7771986	8590660	7704014	—	7704014
Total	5754444	39169500	44925128	42407614	154446	41562060

Source Adam Seybert, *Statistical Annals of the United States of America*, (Philadelphia, 1818), 56

* One Sicca Rupee (British Bengal currency) was valued then at forty five cents

From 1807 to 1814, trading was frequently disturbed by the Napoleonic wars, embargo of 1807, war of 1812 Normal trade relations were established again from 1815. Hence we consider the state of bullion import into Calcutta from 1815, again. The table 2, which is a different method of quantification made by the Calcutta port authorities, gives port-wise breakdown of bullion exported from various ports of New England from 1815 to 1824 It shows that from 1815 the import of treasure into Calcutta increased steadily, the peak period being 1818-19 when over seven million dollars were imported to make up the trade

Table 2 : Statement of the Value of Bullion Imported by Amreican Merchants into Calcutta, 1815-16—1823-24 (in Dollars)

Ports	1815/16	1816/17	1817/18	1818/19	1819/20	1820/21	1821/22	1822/23	1823/24
Boston	744928	1626895	2359842	3732293	1178085	937975	2095570	2278213	447658
Beverly		156172							
Baltimore				6919					
Gloucester	160249								
Marblehead	142875	68400	94777	2138					
New York	339779	750715	2704212	214425	163305			72000	
Newbury Port			123750				56250		
Philadelphia	1530000	716454	1070755	248175	249750	354944			
Providence	168300		237667						
Salem	951867	842289	373050	420935	680065	1342759	1308602	472673	

Source *British Parliamentary Papers*, East India Sessions 1831-32, 12, Vol X, Part II, (Irish University Press Series, Vol 8)

deficit with Calcutta. Exporting specie at such a huge scale was expected apparently to exert great pressure on the currency system of the country. In fact, there was a clamour against India trade which was allegedly draining out country's resources so enormously To investigate the problem a Congressional Committee was set up in 1819 The Committee reported, "The whole amount of our current coin is probably not more than double that which has been exported in a single year to India, . . in the general term "[18]

The report was, in fact, a product of a massive political propaganda launched by the growing manufacturing interests against the commercial groups who were vocal against the policy of protecting the domestic industries by imposing excessive duties on imported goods The Committee did not care to study the means of financing the Calcutta voyages In reality, the capital of India trade came from a process of multilateral trading between different partners globally For cancelling debts to each other the trading partners in the eastern world made a triangular trading arrangements in which Britain, India and China made one set and Britain, India and America, another Through series of adjustments like of modern clearing houses, their mutual debts were cancelled [19] Treasure was the liquid medium for the ultimate adjustments of payments Jacob Crowninshield, a vigorous participant in India trade explained the financing of inward cargoes in simpler terms He argues,

> It may be supposed by some superficial observers that the Indian trade is disadvantageous to this country, because it requires large supplies of specie to support it. Far from it It bears with it the means of its own supply If dollars go from the United States to India, the India goods bring back dollars in their turn from the circuitous trade to the West Indies, to the Spanish Maine and to Europe A cargo of bale goods arrive from Calcutta Part are sold here The remainder goes to Europe, etc where they are sure to command the specie with which a new voyage is commenced and so on If a deficiency of funds arises, the proceeds accruing from the first sales in the United States are turned to the purchase of American articles or sugar and coffee, and these in their turn bring the Dollars in Holland or Laghorn etc , or the specie is imported direct from other countries and is shipped from the United States to India [20]

Before the Jay Treaty (1794), a circuitous voyage could begin from an American port loaded with cargoes destined for European ports and selling them there for silver, which they carried to Calcutta The return cargoes, in the same process, were taken to European market straightway

and finally merchants returned home with only profits and the residue cargoes meant for domestic market To knock the Yankees down in the competition the privilege of circuitous trade was prohibited under the Jay Treaty which provided "that vessels of the United States shall not carry any of the articles exported by them from the British territories [in the East Indies] to any port or place except to some port or place in America, where the same shall be unladen ."[21] But circuitous trade on way to Calcutta could still be practised, and that explains why so much silver was required for inward cargoes because all the goods which reached the world market straightway before were now sent there via America. Silver earned from re-exporting India goods were used in buying the same goods, again, from Calcutta It was a cycle of converting Calcutta goods into silver, and silver into Calcutta cargoes, again Moreover, at the latter stage of Calcutta trade bills were used extensively for settling the exchange problem About the American practices of buying and selling bills of exchange at Calcutta market it was testified before a Parliamentary Committee that the Americans were extensively using bills as a mode of settling exchange problem. They were the "sellers of bills, and purchase[d] what they want [ed] with the proceeds "[22]

What did the Yankee merchants buy at Calcutta for return cargoes ? In other words, how was the demand for Bengal goods in the American market ? Before the Revolution there was a limited market for Bengal muslins (fine cottons) The British gentry settled in America had a liking for muslins. The supply came from Britain With their large scale emigration after the Revolution the demand for muslins shrank drastically Elias Hasket Derby, a pioneer of Calcutta trade, imported some muslins in 1789 But these did not sell at his home port, Salem, and so he shipped the consignment to Philadelphia, where being unable to find buyers, he, at last, re-exported the lots to Britain [23] It is very clear that in America there was no ready market for Bengal goods, the demand for which was yet to be created over time

The American demand for cloths was traditionally supplied from Great Britain The opening of Calcutta trade broke that monopoly Within a very short period of time Bengal textiles commercially designated as 'piece goods' had conquered the American market Very low price was the main reason for popularity of 'piece goods' The demand came from the frontiersmen, Indians and slaves who were

particularly responsive to price. Soon general consumers were also stimulated by the very low price of Bengal 'piece goods'. Patrick Tracy Jackson, a leading importer of Bengal piece goods and soon to become one of the pioneers of American textile industries, thus advised his supercargo at Calcutta to procure only very low priced piece goods. He warned, "... buyers are not at all judges and would not give any more for the very fine qualities than for the merchantable, the middling qualities," and therefore, "only the low priced piece goods should be sent to this country."[24] In Calcutta, export-trade terminologies of piece goods included a bewildering number of brands which were named according to their thread-counts, dimensions, designs, colours prints, borders, places of manufacture, and so on The names of piece goods which were in high demand in the American market were *gurah, mamudi, bafta,* long cloth, chintz, checks, *romals, ser seecker, bandanas, choppas, cossa, emertie, chittabali, gillah, sulgugie, lunghee,* etc.[25] Among all the piece goods, white cotton commanded the greatest demand followed by prints, stripes and checks Silk and silk-mixed cotton handkerchiefs, such as, *bandanas, choppas, chittabuli, lungee* were also very popular.

Upto 1812 piece goods maintained its status as a staple cargo. From 1800 to 1812, total import of piece goods amounted to 145192 bales or about 12100 bales per year on an average [26] But after 1815 the demand fell sharply. It was due to the imposition of prohibitive duties on Bengal cottons. As Henry Lee, a prominent merchant of Boston, calculated, "The duty on cotton and silk goods from India prior to 1812, was 12% ad valorem.. . In 1816, in consequence of the representation of our manufacturers chiefly, a new tariff was established .. the present duty (1820) amounts to $83\frac{1}{3}$% on prime cost, in India [and with all other duties and charges added], to $110\frac{1}{2}$ per cent "[27] Consequently prices of piece goods rose up and as a result market demand also fell proportionately. After 1820 piece goods were seen to be occupying a minor position in the inward cargoes. Ironically, Bengal was now turning into the market for American textile product, drills. Like piece goods of early days drills were supplied at a very cheap price, and hence it received consumers' attention very quickly. "Everywhere where I have been", reported Charles Eliot Norton, a supercargo, in 1850, "I have heard the praises of our drills and almost every family with whom I have staid (sic) has had a Sam Slick."[28]

Table 3 : A Statement of Principal Cargoes Shipped from Calcutta to New England, 1827-1827

Year	1827/28	1828/29	1829/30	1830/31	1831/32	1832/33	1833/34	1834/35	1835/36	1836/37
No. of Vessles	9	14	13	22	22	15	20	16	29	23
Cargoes										
Bag salt petre	13249	27553	27800	53930	41292	42382	65895	49965	80730	53483
" ginger	2096	5920	250	4774	5517	8532	23995	7698	20373	16196
Pieces Hides	14400	32202	84306	242314	409694	142527	330200	392499	436725	285770
" goat skin	280605	245085	241883	257855	415565	341312	473940	329302	355323	666144
" gunnies	20500	72500	195100	371850	573400	273270	390125	440035	1823351	1981698
Bundle twine	2920	4245	4673	3115	2286	5651	8475	4610	4679	5708
Box indigo	2786	1852	1174	1639	3351	2105	1975	1444	2810	1213
" shell lac	936	1170	2049	4719	2248	2074	3355	1811	3864	3494
" lac dyell	12	46	239	596	31	730	814	1868	1087	
Bundle rattan	4885	10989	11241	5462	14366	10586	10526	10598	15838	
No. of Buffal horn			1800		21500	40291	105198	50221	29530	

Source . Report from Rajendra Mitra and Asutush Dey, the Calcutta banians to American merchants, Thomas Wigglesworth Papers, Peabody Museum of Salem, Massachusetts.

Besides piece goods the return cargoes of the Yankee merchants before 1815 consisted many other important articles From the invoices of the brig *Caravan* which arrived at Boston on June 10, 1803 we may have a rough idea of the varieties of those cargoes Besides, piece goods the invoices included goat and deer skins, bolts, canvas, twine, mats, gunny bags, gum copal, salt petre, sal ammoniac, coffee, Colombo roots, gum tragalanth, anisseed, cotton yarn, senna, benjamin, gum lac, tumenck, ginger, sugar, sago, etc [29]

The cargo composition of Calcutta trade changed remarkably after the resumption of trade from 1815 The change was occasioned by two major developments nationally and internationally In order to protect the nascent American industries, particularly the textiles, prohibitive duties were imposed on Bengal goods, and various privileges hitherto granted by the government for encouraging foreign commerce, such as drawback duty, payment of duty after sale, etc , were withdrawn. Externally, the opening of India to Free Trade from 1813 led to new entries into the competition of Calcutta trade Consequent upon all these changes market situation so changed that the merchants, in order to survive, had to change the cargo pattern of their Calcutta trade They saw that new industries in the United States of America had created some new demands for raw materials which could be advantageously supplied from Calcutta

Skins and hides appeared in the traditional cargo list also but quite insignificantly But with the growth of shoe industries and skin-garments industries in America the demand for these raw materials increased phenomenally. Similarly, items like indigo, shell lac, copal, gums, etc , appeared peripherally in the traditional cargo invoices, but now these came up as major articles of importation Bengal was no longer a supplier of manufactured goods From the 1820s the return cargoes mainly consisted of industrial raw materials, such as, salt peter, hides and skins, gunny bags, twine, indigo, shell lac, lac dye, rattan, buffalo horns, etc As Table 3 shows, the demand for all these raw materials were increasing every year Piece goods what constituted the bulk of the cargoes previously were now vanished from the list of principal cargoes.

Supercargoes and Banians

Much of our subsequent discussions will flow from the association and activities of two institutional persons one was the supercargo and

the other, the *banian*. Their functions and modalities, demand some elaboration. The participation of many parties was necessary in order to make a return voyage successful—shipowners, shippers, financiers, underwriters, captains and crew, supercargo and so on Though each of the elements made important contributions at various stages of the voyage, no one's role was so crucially important as that of the supercargo At his discretion was placed the entire resources of the voyage. He was the custodian of the entire treasure and merchandise of the vessel He was responsible for disposing of the outward cargoes, and it was his responsibility to buy and ship the return cargoes He kept the fund and invested it as he judged best He signed all the bills and maintained all the vouchers, prepared the invoices and accounts He was thus a key figure in whose integrity and ability all other adventurers had placed absolute trust and confidence

At Calcutta the supercargo had one or several compradores called *banian*. Literally the term *banian* means businessman He was a broker, an interpreter, and a moneylender to foreign merchants. The *banians* were generally Hindus of the Brahmin and Kayastha castes. The emergence of this *banian* class goes back to pre-colonial times when the Europeans came to Bengal for trading in the 17th century After the introduction of the Anglo-Indian Agency Houses in 1787 the *banians* lost much of their importance Foreigners henceforth transacted their business mainly through the Agency Houses But the Yankee merchants chose to conduct their business with the help of the traditional *banians*. It was done for economic reasons The *banians* did the same job but at much less cost. At the beginning they never charged any commission for their services Rather they remained contented with the traditional *dusturi* or a gift alone [30] But subsequently they were brought into the entreprenurial world as regular brokers In lieu of their services they were given commission at a certain rate. On account of the purchase of an investment the Agency Houses charged 2 5% commission, whereas for the same services the *banians* were given 1 75 percent [31] "We buy our cargoes of the native merchants (banians) and not of the English residents because they came to us at a lower price", remarked Jacob Crowninshield, a leading merchant of the time [32]

The Yankee decision to trade with the *banians* was significant historically It directly contributed to the growth of a Bengali entrepreneurial class in Calcutta It also provided the Yankee merchants a window to the Bengali society The supercargoes and captains lived with the *banians*, interacted with them and through them they could get a glimpse of the country The *banians* received the supercargo on his arrival, arranged his accommodation, introduced him to the *aratdars* (stockists) and *paikars* (wholesale traders), recommended persons to him for appointment as *sarkars* (assistants), *jassandars* (quality verifiers), domestic servants, palanquin bearers, and so on. The *banians* collected all the information of the market prices, supply situation, market trends, activities of other competitors He also supplied capital when the supercargo ran short of funds The concluding jobs of the inward voyage, such as, packaging, towing, trucking, invoicing, accounting, etc. were also his functions. His job ended when the ship sailed for home. All these functions had great social implications which will be dealt with soon

In the race for money making the *banians* were no less avaricious than the Yankee merchants, and therefore, they seldom hesitated to enrich themselves at the expense of their employers if opportunities were offered to them. The supercargoes were thus always instructed to be on guard against the frauds and knavery of their *banians* Henry Lee, who lived in Calcutta for five years and who knew the characters of the *banians* well instructed his supercargo thus .

> In your contracts, see that the *banians* charge only what they give (weavers) It was long time before I could find out the weavers' lowest prices—give them to understand that goods will not do unless at very low prices, and that you shall change for some other banian, unless they do well Have good understanding with Banians, and the leading Sircars, and get as much knowledge of the language, as will enable you to converse with the Bazaar Merchants, and to understand conversation between brokers & C & C Don't confide in any one, nor make known your intentions to your Banians, nor say how long you shall remain in the country to them, or any one else [33]

In spite of such cautionary tip to merchants Lee was highly appreciative of his *banians*, and so were most other merchants The cases of frauds and collusions were there, but not very common The Yankee merchants were conscious of the fact that unlike the French, Dutch, Danes, Purtuguese, who had their political settlements in India to

look after their commercial affairs and the British merchants who were the masters of the country, they had no foothold in India, not even a regular office to house them The *banians* were their only support and they used the offices of the *banians* as their temporary business centres. Once a *banian* firm was appointed they seldom changed it unless it showed chronic deficiencies in business performance In the absence of the supercargo from Calcutta the *banians* supplied all the business information to the principals in New England. As Henry Lee wrote to his banians—Goluk Chandra and Ramdhan Bonerji.

> I expect to hear from you by every ship I want to know by every ship the prices of all exports to America, and what the cost deducting interest and Rowannah (port duties) . Do not forget to send me a list of every cargo which is exported in the ships for America If there is any change in the duties of American ships, let me know it and send me the Regulation Write me if many free traders came out from England, tell me what cargoes they bring out and how they sell them Inform me what ships Kissen gets and also the other banians I want to know the Bazar interest for money, and what the Agency Houses allow and also if London Bills can be easily sold for Rupees [34]

All Calcutta merchants needed market data of above kinds, and in the absence of regular representatives in Calcutta these data were procured from the banians, who, to continue their contacts with their principals, were eager to collect and transmit those data Over time the banians developed considerable sophistication in market-study methods and that was evidenced by their monthly publication of 'Market Digest' which they sent regularly to their principals [35]

'More philosophies than cargoes' ?

Now we proceed to discuss the cultural contents of cargoes. On the eve of the pioneering voyages to the east Ezra Stiles, the Yale President, wrote Washington, "Navigation will carry the American flag around the globe itself; and display the thirteen stripes and new constellation, at Bengal and Canton, on the Indus and Ganges, and with commerce will import the wisdom and literature of the east "[36] Stiles's reasoning was that if Western European cultures could be enriched by their contacts with the Orient, similar benefit ought to flow from the American contact as well. The American Enlightenment which drew its inspiration from Europe showed keen interest in the oriental learning, but for its exercise

the American savants depended hitherto on European sources. The maritime contact with the east thus held out a prospect of producing important intellectual results

All departing captains and supercargoes used to receive long shopping lists from their families, friends, and kith and kins. Everyone's request was to bring some oriental luxuries or curiosities Not infrequently such list included oriental books and manuscripts and other objects of oriental arts and sciences. American enlightenment scholars wanted them. We find, for example, Captain Gebaut busy in collecting Indian classics in Calcutta in 1794 He collected a good number of classics in Sanskrit, Arabic, and Persian and presented them to Reverend William Bentley, the famous diarist and an Enlightenment scholar.[37] On the eve of his sailing for Calcutta (1803) Captain Elkins had received a number of requests from the literati to bring for them Indian books and manuscripts "including an Arabic Manuscript of the Kuran" for William Bentley.[38]

On the issue of deciphering an inscription called 'Dighton Rock Inscription', brought from India, we notice an interesting debate through correspondence between Bentley of Salem and Samuel Harris of Boston. The inscription was in an unknown Indian or Central Asian language which was considered to be long dead Harris claimed to have "found the *verb* of the inscription" by a comparative analysis of the vowel movements in Greek, Armenian, Hebrew, Arabic and Sanskrit languages.[39] But Bentley was not to be satisfied at the explanation With the help of various captains and supercargoes he began collecting calligraphic samples of the classical languages of India and Central Asia The debate in correspondence had apparently continued down to 1809 seemingly without any resolution [40] Whatever may be the outcome of the debate it has made it clear that an 'Orientalist School', might be very small, had already emerged

Orientalists of different genre were Jacob Bigelow, Charles Eliot Norton, Captain Hull, who had shown considerable interests in oriental exercises alongside their commercial pursuits. Jacob Bigelow, a merchant and a physician and a botanist, visited Calcutta in 1812 as a merchant. But soon he developed interest in Indian culture to study which he learnt Hindustani at the Fort William College at Calcutta for

about a year. He wrote a Grammar and a Compendium on Hindustani language and returned home in 1813 to get the honour of being the first trained orientalist of America [41] Charles Eliot Norton, the editor of the *North American Review* (1863-1868) and the Professor of the History of Fine Arts at Harvard (1874-1898), began his career as a Calcutta supercargo in 1849 On his way to Calcutta by the ship *Milton* he reported to have completed reading Jones' *Institute of Manu*, Coleman's *Hindu Mythology*, and Ward's *Hindus* and *Selections from the Kuran* While in India he maintained regular correspondence with the leading literary figures to whom he wrote in details about the Indian arts and institutions Inquiring about his intellectual life in India Longfellow, the poet, once wrote, "And now my dear Charles, Namaskar ! Sasthangum ! [Hindu salutations] . and salute for me in the Sacred River (Ganges) that flows from the 'Sweat of Siva's wife' Bring home two Great Epics—*Ramayana* and *Mahabharata* "[42] To go deep into Hindu scriptures, Hull a merchant, studied Sanskrit and began translating some vedas Banian Rajendra Dutt wrote Norton that "Hull's project will make him a good Sanskrit Scholar "[43] All these exercises remind us a prophesy of a magazine of the early 1790s that American navigation to Asia would bring home 'more philosophies than cargoes [44]

However, we find cargoes of American books consigned to Calcutta, as well. But unlike the American 'orientalists' who were bringing books and manuscripts for serving their philosophical curiosity, the Indians were receiving American books for school students mainly. (The cargoes of books appear in the invoices from the 1830s when English was introduced as the medium of instructions An invoice containing 140 titles of books and magazines valued at $212 77 was first consigned (1830) to M Maughan per ship *Hoogley* for sale at Calcutta on account of Samuel H Paker, a Boston book dealer.[45] The subjects of these books were mainly history, geography, literature, travel, religion, philosophy, cookery, children literature, health, music, etc Most of these books were sent in one or two copies indicating the explorative character of the cargoes The experiment possibly succeeded We notice a much larger stock of books and magazines consigned to Samuel T Morse, in the ship *Sarcen* in 1836 [46]

Supercargoes and Captains at Calcutta
Images and Interpretations

To complete a return voyage the Captain and crew and the supercargo had to live at sea and ashore for one hundred and sixty days at least, of which minimum ninety days were taken in Calcutta During the time the supercargo sold his outward cargoes and bought the return ones, the captain and crew repaired and refitted the ship In doing these works local help and cooperation was, of course, necessary Some degree of social intercourse and interaction between the Yankees and local people thus took place inevitably We get a hint of this unavoidable social contact from Henry Lee At the conclusion of one of his business letters to his supercargo at Calcutta he remarked with a personal touch, "You must be now buried in chits and surrounded with *banyans*, Captains, Subalterns, Civil Servants and sircars (local assistants)."[47] It was a world by itself, a world of sales and purchases, weights and measures, profits and losses and in this the *banians* were their constant company. Beyond this business circle few Americans showed any interest to move out and have a glimpse of the larger society A true representative of these disinterested Yankees was Henry Lee, who lived in Calcutta for long five years (1811-16), but never had he known even one person during the period outside of his own *banian* circle He was amused by his own isolation He wrote to his wife, "You will hardly believe that a person of my easy manners and insinuating address should have lived almost a year in this place without making a single acquaintance unless a few persons whom I meet on business "[48] Being pressed by his wife to make his letters more interesting by narrating Indian scenes he wrote to her earlier, "I meet with nothing to describe that can entertain you, and seeing no one but my banyans I make no acquaintance among the inhabitants nor do I expect to "[49] Why this indifference ? Lee was not devoid of faculty for observation or of writing ability His private memorandum on Indian textiles and other manufactures are amazingly thorough. In later life he became a famous person for his writings on commerce and politics of America He explained to his wife why he refrained from writing on India He wrote, "Were the natives as well informed as they are civil and well bred, one would receive great pleasure from their society, but their opinions are so confined that I can truly say, I never derived half an hour's gratification from anyone I have been

acquainted with Nothing can be more interesting than their character."[50]

Many captains and supercargoes subscribing to Lee's views remained silent about India, but some others among them ventilated their views and according to them the people of India were ignorant, superstitious, devoid of human virtues, servile, docile, untrustworthy, poor and beggars and so on But there were other Yankee visitors who looked at India more objectively We have even a Yankee visitor like William Duane who left commerce for a new career in Calcutta He established a newspaper *The World* (1790) with an announcement that he was, "a servant of Indian people", and he was to be viewed as a "Citizen of the World " But soon he incurred displeasure of the British Government for his radical views and was expelled from India in 1794 [51]

Even the most perceptive among the Yankee mercantile visitors to Calcutta suffered from some serious limitations in constructing their images and making interpretations of India Almost all of them had lived in Calcutta alone and had never visited the ancient seats of power, such as, Murshidabad, Dhaka and Delhi Calcutta, a new city built for commercial purposes by the British East India Company and a city inhabited by mostly Anglo-Indians, *banians*, shopkeepers, kulis, palanquin bearers, sailors, prostitutes etc , was not obviously the true representative of the country's society and culture The pre-colonial cities were still holding on as centres of traditional learning, arts and crafts, though decadence was marked everywhere Another limitation of the Yankee observers was their tender age They were easily influenced by the Anglo-Indian viewpoints of India As strong believers in Christianity and in 'progress' they found in the stability and iconolatry of India nothing but ignorance, transgression, vices and wickedness.

In spite of these limitations many observers had shown considerable objectivity in the narratives of their experiences and encounters in India. To proceed chronologically, Richard Jeffrey Cleveland, the grandfather of President Grover Cleveland (1885-89) had been to Calcutta several times during the period from 1792 to 1799 He was, as said earlier, only nineteen when he visited Calcutta first in 1792 He regretted that he did not see much of India in spite of his repeated visits to Calcutta He recorded in the Journal, I had now passed three months in

KP 495

16/12/96 HISTORY COMPLEX

the city of Calcutta (1799), having made during the time no other excursion than one to Serampore, (the Danish settlement about 20 miles north of Calcutta) and another to the Botanic Garden " He observed that the servants and bearers and the *banians* were extremely ritualistic in everything. Cleveland thus concluded, "The most striking feature in the character of the people is their veneration for the customs and institutions of their ancestors Their food, their dress, their procession, and marriages, are all under the jurisdiction of religion It prescribes rules of conduct under all circumstances, and there is scarcely any thing however, trifling, which it treats with indifference "[52]

At twenty five Jacob Bigelow, the merchant, physician and botanist, visited Calcutta (1811-12) professedly more for seeing Indian medical practices than for trading While his ship anchored at Culpi, the outer anchorage, Bigelow became very 'shocked' at the sight of 'sons of Sundarbans' who came by country boats to sell provisions to the ship people For poor peasants and fishermen of the offshore islands it was a brisk business to sell green staffs to the mariners. Bigelow recorded in his Journal about these marine pedlers, "Many pawncheyhs or country boats came alongside the ship Appearance of the crew strikes a European (?) on his first arrival as much nearer in affinity to baboons than human beings Their only clothing (is) a piece of cloth around the waist—smoking the hubble-bubble, a kind of hookah formed from a cocoanut seemed to be their principal relaxation from labour "[53] As he proceeded up the Hughli river to Calcutta he saw 'miserable looking cattle and cottages', tigers, crocodiles, deers etc At the River Ghat (landing place) he was surprised to see the means of transportation—palanquin and palanquin bearers After getting settled in Calcutta and after some movements around he was surprised to see very rich Anglo-Indians and banains and rich artists and merchants living side by side the most miserable poor people He wondered how poverty and prosperity could co-exist so peacefully Bigelow found the answers in the religious practices of the people He was amused to see British colonial rule in India without British colonisation He chalked out a project to write a book highlighting these issues But the projected book he never wrote [54]

To most Yankee visitors Indian religions and religious ceremonies and festivals were "wonderful extremes to which mankind may be led by ignorance and enthusiasm "[55] But Benjamin W Crowninshield who

visited India as merchant and captain many times before he became the Navy Secretary of the United States in 1817, had a different perception of India. He loved Indian Ocean navigation and India so much that he wrote to his wife that his post at Washington was a "voluntary exile" for him and he "always dreampt of navigating to India, again "[56] Crowninshield maintained that India was a store-house of knowledge which was sought by "all civilized nations of the world".[57] Addressing the missionaries who were bent on going to India for evangelical activities he argued that he had spent "considerable time in Hindustan, and had become acquainted with the amicable manners of that mild and much misrepresented people." Crowninshield continued, "there were those among (Indians) who had examined our religion and were familiar with its doctrines, who could teach our missionaries the history of their church; that those people were perfectly satisfied with their own religion, and wanted no change "[58] Crowninshield did not find everything good in western 'progress' and everything bad in eastern 'stability'. Writing to Henry Pickering, the ship owner and poet, Crowninshield remarked, "Indian reliance on their practices is based on scores of centuries of wisdom and experiences, which we rule out because we have no such tradition "[59]

In observing Indian ways of life, arts and institutions, none was more perceptive and critical than Charles Eliot Norton, the supercargo of the firm Lee and Bullerd, Boston He lived in Calcutta from September 1849 to January 1850. Among all the American visitors Norton was only the person, so far as our knowledge goes, who moved out of Calcutta and who travelled throughout Northern India including Delhi He wrote extensively on India in the form of letters to prominent people of America and Europe and he also wrote about India in the *North American Review* analysing the Indian ways of life His *banian* Rajendra Narayan Dutt was a reputed student of Bishops College, Calcutta As said earlier, Norton had already made considerable study of Indian literature on his way to Calcutta. He was thus in a position to perceive India in a broader and deeper perspective.

Norton saw everywhere 'the relics of the past achievement' of the Indians and these were now in decadent state In the decadence and degeneration of ancient institutions he found the reasons for many superstitions and prejudices of the Hindus At the house of his banian

Rajendra Narayan Dutt he attended the Durga Puja festival and he also attended a nautch (dance and songs performed by professional dancing girls). Norton did not enjoy the *nautch* much, but unlike others who dismissed it as only chaotic screams accompanied by discordant and monotonous and dull music, he explained his response in terms of his "ignorance of the arts and sciences of Indian dance and music."[60] To him all the glories of India belonged to its past and its present, according to him, was a tragic scene of poverty, ignorance and superstitions under which "only the vices of barbarism and civilization (were) thriving, ... and the higher qualities of the character developed in very rare and uncertain instances "[61] Among the people he found "great want of men of abilities and taste for literature " He felt sorry about the **Young Bengal**—a modernist movement, who "instead of cultivating its own literature likes better to write poor verses and commonplace essays in English "[62] According to him, both the traditionalists who were immersed in ignorance and trivialities and the *Young Bengal* who were infatuated by the modernities of the West, were sadly far away from their glorious literary tradition, and both of them were blind imitators, one following the tradition, the other, the West Citing an extraordinary case of imitation, borrowing and proxy-writing Norton reported that he once met one Maharaja Apurba Kissen Bahadur at his residence at Sobha Bazar, Calcutta He styled himself as the "Royal Poet of the Emperor of Delhi". For his alleged contribution to Persian literature he was elected an honorary member of the American Oriental Society (1849) But soon it was revealed to him that all his so-called poems and stories were written by his *munshi* (Persian scribe) who was afar busy in writing at the time of his interview [63]

Charles Eliot Norton felt sorry about the collapse of the country's great handicraft industries and he thought that government policies were not conducive to the development of the country He observed that the country was desperately poor and overpopulated. He wrote, "The dense and crowded population and the little attention that is paid to their physical comfort are all points so prominent that the most careless observer could not fail to be struck by them " He continued that the food habit of the people had made them exposed to recurring famines. "They live almost entirely on rice and it seems to me that famine is continually hanging over Bengal suspended with a more slender thread than that on

which the sword of Damocles was hung. The state of things here is like that in Ireland."[64]

Whatever was their perception of Bengal and India, the captains and supercargoes were generally at home and happy with their banians and sarkars who, as colleagues, were extremely hospitable, feeling and genial to them during their stay in Calcutta. Their mutual friendships and cordialities were made everlasting by giving reminiscent feasts, *nautches* and gifts to each other The banians, in particular, would organise most elaborate and expensive feasts and *nautches* in honour of their departing friends. The captains and supercargoes also returned those dinners. In such functions the most expensive dancing girls called *baizis*, were hired to give *nautch* after the dinners, which were attended by other merchants and captains, banians and city dignitaries The departing supercargoes and captains added varieties to the after-dinner *nautch* by their own participation with "songs and toasts and short speeches "[65]

Gifts of various kinds and values were exchanged between the guests and hosts. Among the gifts were included portraits, jewellery, shawls, Brasses etc. Among the portrait gifts most remarkable was a life-sized oil portrait of President George Washington on canvas jointly presented to banian Ram Dulal Dey by twenty merchants and captains in 1801 [66] Later on, Ram Dulal was also honoured by naming one of the ships of the Crowninshields after him All these were done in appreciation of his great services rendered to the American merchants who felt that much of their success of Calcutta trade was due to Dey's integrity and entreprenurial ability. We have no records of what return gifts Dey gave to his American colleagues.

Only eight portraits of Calcutta banians presented to their American friends now survive at the Peabody Museum of Salem and Essex Institute All these portraits, water colour on ivory, were executed by Indian artists. The subjects were all in Indian costumes of traditional fashion.[67] The most interesting among the artistic gifts were life-sized statues of three banians—Durga Prashad Ghosh, Kissen Mitra, and Rajendra Dutt presented to various merchants, and now housed at the Peabody Museum of Salem. In contrast with the previous miniature portraits on ivory, these statues were executed in traditional iconographic genre.[68] In pre-camera days portraits were certainly the most

pleasant items for gifts, but the American merchants had perhaps liked their friends at Calcutta to give their own portraits as gifts for another important motive. It was to let other Americans see how the people they were trading with at Calcutta looked like There cannot be any other reason but this motive behind bringing bulk things like life-sized clay statues. The intention is confirmed by the recipients' donation of the portraits and statues to the East India Marine Society of Salem (now Peabody Museum)

The palanquin, which was the common means of transportation in India, and which was an important artifact of Indian traditional culture, was a piece of intense curiosity in America. To meet that curiosity, some merchants of Salem bought a palanquin in 1803 for its shipment to America But a palanquin was incomplete without a *kittisal*, a huge coloured umbrella to keep the palanquin under shade The head bearer's job was to run alongside the palanquin holding the *kittisal* over it. No aristocrat or a man of wealth would move out in a palanquin alone. In fact, the *kittisal* was the testimony of the social status of the occupant of the palanquin. The *banian* of the merchants completed the palanquin by presenting them with a *kittisal* He also presented them with two commonly used musical instruments—a *dhol* (drum) and a *tambur* (gourd).[69] The intent of cultural communication was thus very clear Among the cultural gifts given by other *banians* to cite a few, included an image of *Gajalaxsmi*, the goddess of fortune under the elephant held canopy ; a set of miniature portraits of mughal rulers on paper, toys, engraved brasses and stones, replicas of palanquins, jars, etc [70]

India-culture at Home

The Revolutionary War, as we have noticed earlier, had destroyed the familiar channels of trade. Formerly, the Americans were all clothed by British and European textiles Now the Americans themselves procured their own supplies, and the supply came not from the traditional sources, but from a new source, India In the first decade of the nineteenth century every American family became familiar with Bengal textiles [71] All users could cite the Bengal cottons and silks by trade names, such as, *bandanas*, chintz, *gurahs*, *mamudis*, *emerlies*, *chitabulis*, *lunghees*, and so on. Such a quick transition from one consumption habit to another was certainly an event of great social and cultural significance.

For the users, it was certainly a matter of wondering at the great varieties of designs and patterns, colours and shades, shapes and dimensions of Bengal textile manufactures Indeed, they never saw the hands that made all these varieties, but they could well imagine the artisans' genius—the genius that turned the designs, colours and shapes into an artistic composition. In that composition they could clearly read the culture and achievements of the artisans and their reading about artisans' tastes and temperaments was not to be marred by the negative eye-witness reports from the fields We find the social elites collecting and possessing with pride Bengal textile luxuries Israel Thorndike, a ship owner and merchant of Beverly, for example, wrote to his supercargo at Calcutta,

> I wish you to procure in Calcutta for Mrs Thorndike one handsome Cashmerie shawl $3\frac{1}{2}$ yards long and $1\frac{1}{2}$ yd wide —the border on the sides 6 inches—side do on the ends 18 to 20 inches deep—the middle of the shawl white—colour of the borders, dark blue or purple, yellow, green and red Also 13 Cashmin tippets, 8 red and 4 white, border on the ends 6 inch deep—length of tippets $1\frac{1}{2}$ yards breadth $\frac{1}{2}$ yard—colour on the border dark blue or purple ground with yellow, green and red figures Also 6 doz pocket Hkfs [Handkerchiefs] [72]

It was, indeed, elitist to have some expensive muslins, shawls, chintz, etc in one's draperies and not to have them was considered to be going out of fashions. Many tried to beat others by procuring muslins and shawls of uncommon designs, fineness and colours, and so they put special orders to get them manufactured for them. Merchants collected these orders and asked the super-cargoes at Calcutta to have them manufactured according to suggested specifications.[73] From cultural and technological point of view this kind of special orders which were executed under the supervision of the supercargoes were sure to influence the art and technology of the traditional handicraft industries of Bengal. But before such change was visibly felt Bengal handicraft industries began declining steeply under the impact of the Industrial Revolution in Britain first, and next in America

The cultural contents of eastern commerce found its highest expression in the ideals and activities of the **East India Marine Society** which was established at Salem in 1799. Only those merchants and mariners who had visited the Indian Ocean world at least once were eligible to become its members The aims and objects of this Society were

more cultural and scientific in overtone than simply commercial. Among its objects were promoting navigational knowledge of Indian Ocean, gathering and preserving objects of oriental arts, crafts and sciences, and also collecting curiosities and artifacts of interests The members were under obligation to record in their journals what they saw and experienced and what was deemed to be important for understanding the eastern societies To house and exhibit the collections a museum, called the **East India Marine Society Museum**, was established This museum was later renamed as to-day's Peabody Museum (1867).

It is significant that the said Society and Museum was established in 1799 when the eastern commerce of their European competitors was severely disrupted by the Napoleonic wars, and when the American merchants, thanks to United States' neutrality, were pursuing the carrying trade for European powers almost monopolistically. The windfall incomes that they got from the East India trade did not simply lead to increased Yankee participation in that trade, the fortunes also stimulated participants' interest in the man and nature of the Indian Ocean region. They wanted to know more and more about the eastern civilizations, and their urge to understand the east was whetted by their ever increasing contacts with the local societies. They had money enough and support enough to give their new interest an institutional structure Thus the East India Marine Society and Museum came into being

The East India merchants had formed a brotherhood by herding around this Society which was made a social and cultural club to giving them an identity, a stamp, as of Mediterranean merchants, Baltic merchants, Latin American merchants, West Indian merchants, and the like The founding anniversary of the Marine Society was regularly celebrated with great eclat and publicity The nostalgic dinners, toasts, processions and special decoration, band music, etc. made the occasion a memorable event for the whole locality The members with their wives and family members attended the function in Indian dresses The wives wore oriental jewellery. Exhibiting East Indian luxuries and curiosities was rather required by the customs established for this anniversary festival The feast was followed by toasts announcing the programmes and ideology of the association In his diary William Bentley had several entries about this festival One entry goes (Jan. 4 1804), 'This day is the Annual Meeting of the East India Marine Society.

After business and before dinner they moved in procession .. Each of the brethren bore some Indian curiosity and the palanquin was borne by the negroes dressed nearly in Indian manner."[74] Another entry (Nov. 7 1807) reads, "On Wednesday last the East India Society celebrated their anniversary. They appeared with the eastern Dresses, and were escorted by the Mechanic Light Infantry and had the Cadet Band They had an elegant dinner in their Hall "[75] It may be wondered why the East India merchants were so fussy and ceremonious about their Indian memories. Indian Ocean navigation was unknown to the Yankees and so were the peoples of the region The most successful penetration into the region and making immense fortunes out of it was an achievement which the participants thought worth announcing But they were, for certain, not pure publicity mongers. They had some ideals to practise and propagate These ideals were made apparent in the resolutions that they adopted at the annual meetings, and that they caused to be announced to the public in the form of toasts. As the dinners were attended by the dignitaries of the state and society, these toast-announcements bore special significance The announcements enabled them to disseminate their ideas of Indian Ocean navigation on the one hand, and declare their own commitment to those ideals, on the other. They tried to let the audience appreciate that by understanding alien societies and their cultures, they were sure to contribute to the development and enrichment of their own cultures

The East India-culture ideology of the Marine Society was well evidenced in the toasts announced at its annual dinner of 1825, which, like the previous ones, was attended by the social and political elites including the Union President Quincy Adams, who had graced the occasion as the chief guest. The toasts read,[76]

> The merchants of the United States—May they inherit the spirit of Cosmo de Medicis and learning and arts bear testimony to their munificence
>
> Our Navigators—They have been enlightened by distinguished men of all countries
>
> The trade to India—No commercial nation has been great without it—May the experience of ages induce us to cherish this rich source of national wealth
>
> Foreign commerce—The great civilizer of Nations
>
> The Salem East India Marine Society—Distinguished for its nautical and commercial knowledge and enterprise, indefatigable in its researches for natural and artificial curiosities in foreign climes

It is extraordinary, indeed, that East India navigators and merchants were also researchers They were keen to make money, and equally eager to set aside a part of their earnings to the support of the cultivation of arts and sciences globally, as did Cosmo de Medicis. Unlike their contemporary American missionaries who considered the oriental people dipped in ignorance and vices, and who were going to the east for enlightening the people there, they publicly acknowledged that they were already 'enlightened' by people of that world In other words, the merchants and navigators were rather ventilating their opposition to waging war against other peoples' cultures and belief systems, and they tried to bring the point home that by recognising diversities of cultures and by understanding and appreciating those cultures the Americans would improve and enrich their own As merchants their interests dictated them to maintain peace and cordiality with the peoples they encountered with

The merchants' tolerant view of Indian culture does not seem to be merely a tactical game for the sake of undisturbed commerce We find them giving their ships Indian names, such as, *Ganges, Hindu, India, Bengal, Hindoo, Gentoo* (Hindus), *Devi, Durga, Calcutta, Hyder Ali* (king of Mysore), Najat (freedom), *Laskar* (Indian sailor), *Sultana* (Empress), and so on Even a ship was named after the most influential banian of Calcutta, Ram Dulal Dey When American ships were seen at Calcutta bearing symbolic names of Indian culture and history and geography, the scene was certainly a soothing spectacle to the viewers Sometimes the response took most unexpected turn For example, when the ship *Ganges* with the figurehead of Mother Ganges fixed to its bows arrived at Calcutta the common Ganges worshippers knelt down in folded hands and said *namashkar* to it [77]

Naming vessels after Indian symbols may be interpreted as business strategy of the merchants to please their Indian counterparts But no such intention could be at work in giving their wharves and places and mansions at home Indian names. **India Road** and **India Wharf** at Boston and **East India Square** at Salem are the living testimonies of the tendency of the merchants to name their mansions, gardens, squares, roads etc. after India and Indian symbols These were, in fact, the marks of their identity as a social category. and to make the identity clearly distinguishable, the India merchants, as a social class, tried to make

their identity imprinted on their achievements at sea and ashore The tendency to get organised as a socio-economic category was perhaps dictated by the political situation of the time America was passing through great transition The rapidly rising manufacturing interests were building up pressure on the Government to close America to free trade, and the free traders were getting organized to resist such attempt. They argued that American prosperity and greatness lay in 'open door' and not in 'closed door' policies in foreign trade, and they advanced statistics as to how India trade was beneficial to America in the past [78]

Against the tide of the manufacturing and plantation interests the East India merchants were slowly slipping into the background ; but the recessive trend seemed to have made themselves more consolidated as a class. As for instance, in 1839, the following motto of the city of Salem was adopted *Dwities Indies usque ad ultimum sinuum* —**To the farthest port of the rich East.** To uphold the "rich East" myth as late as second quarter of the nineteenth-century is certainly very interesting, because, the East was already ruined industrially, and it became a supplier of raw materials to the industrial West In 1848, the Boston City Authorities were celebrating the introduction of water supply in the city. In the festival, the agenda which drew everybody's attention was the 'India-Procession'. The participants in the procession were attired in Indian costumes and they were carrying Indian curiosities in their hands. In the middle of the procession was a " palanquin carried by six stout negro bearers, dressed in white oriental costume, with white turbans Inside was a fair young boy reclining in oriental style " These were reminiscent of the merchants good old days of India trade and India-culture.

Summing-up

It has been asserted at the outset that the opening voyages to the eastern waters were undertaken in response to America's isolation in the wake of the Revolution The Revolutionary War and the subsequent development had destroyed the traditional trade channels, and in consequence, the new nation was forced to find out alternative channels of foreign commerce Ironically, though the United States of America was barred to the British West Indies, a traditional market for American products, the American merchants were very favourably received in the monopoly state of the East India Company in India The Company's

government in India was then labouring under a severe financial crisis. The Company's investment was not enough to buy all the exportable surpluses of Bengal, nor the Company could afford to sacrifice its monopoly right to British private traders As American merchants were not to be a threat to the Company's monopoly right, and as they were sure to import into Calcutta silver for exchange, so they were given permission to trade in Bengal though America had no trade treaty with Britain or British India for such commerce But the people who were most actively co-operative in the American passage to India were the Anglo-Indian remittance interests who were trying to open a new channel of their clandestine remittance trade hitherto pursued under the flags of the continental companies The Yankee mariners had no previous experience of the Indian Ocean navigation. The Anglo-Indian remittance circles came forward to giving them navigational guidance to the pioneering voyages

The Calcutta trade upto the closing years of the eighteenth century was characterized by participation of too many adventurers from too many ports and the navigators were also too young in age The pioneer participating ports were Baltimore, Beverly, Boston, Gloucester, Marblehead, Newbury Port, Providence and Salem The vessels used in the voyages were alarmingly small. Considering the safety of the wavy Indian Ocean navigation the continental companies plied there with vessels of 550 tons minimum, but the tonnage of the Yankee vessels ranged only from 130 to 250 tons Vessels exceeding 250 tons were rare. The Yankee merchants kept their vessels light for achieving greater speed than their continental competitors The Calcutta trade became tremendously competitive from the beginning of the nineteenth century, and consequently many pioneers fell out and the trade got concentrated in few families like the Peabodys, Gardners, Lowells, Higginsons, Crowninshields, Thorndikes, etc Most of these families were ship owners and were linked matrimonially and commercially with each other.

Bengal was traditionally an exporting country As it used to consume few foreign goods, its external trade was dominated by importation of species as against its goods. The Yankee merchants thus imported into Calcutta millions of dollars worth of specie every year in order to adjust their trade balance with Bengal. The complaints were made by even very

influential quarters in America that Calcutta trade was causing heavy drainage of American treasure. In reality, Calcutta commerce bore with it its own supply. The cargoes were bought at Calcutta for silver and through the processes of re-export, circuitous trade and multilateral trading these were converted into silver again.

The composition of cargoes from Calcutta did not remain constant althroughout the period under study The very low-priced Bengal piece goods made them the staple cargo upto 1812. Among the piece goods white cotton had the greatest demand in America Among other articles making the return cargoes were skins and hides, canvas, twines, gunny bags, gum copal, salt petre, aniseed, cotton yarn, senna, ginger, sugar, sago, and so on. But this pattern of cargo composition was totally uspset by the subsequent developments after the War of 1812 Piece goods were receding fast to the background, and other goods were coming to the fore. For example salt petre, gunny bags, indigo, hides and skins, etc were marginal cargoes before, and from 1815 these appeared prominently With the rapid growth of industrialisation America needed more raw materials than manufactured goods Heavy tariffs were imposed on Bengal piece goods in order to protect the domestic textiles Consequently, market prices of piece goods rose up leading to proportionate decline in their market demand. From the 1830s America began to export textiles, particularly drills, to Bengal By 1850 American drills became as popular in Bengal as the Bengal piece goods were in America in the late eighteenth and early nineteenth centuries

But half a century of extensive trading with Calcutta did not end up in a void. The contact that was established for commerce had yielded, besides material benefits, rich cultural harvest of far reaching significance, and it is on this cultural aspect that this attempt has been particularly concerned. We have proceeded on the assumption that pre-modern trans-oceanic commerce had built a bridge between distant cultures. The bricks and mortars of that bridge were the cargoes in which were written large the human, artistic and technological elements behind the products and the feeling and intuitive consumers found no difficulty in reading them.

America and India met at Calcutta basically in two persons. One was the supercargo, and the other, the *banian*. The supercargo was responsible for disposing of the outward cargoes, purchasing of the

merchandise for the return voyage. He lived in Calcutta and while at Calcutta his constant company and guide was the *banian*. For counselling and guidance the supercargo depended on his *banian* who took him to the market and introduced him to the Calcutta business world and who briefed him about the market and market people and showed him the way to the most profitable business in Calcutta. All other foreigners transacted their business in Calcutta through the Anglo-Indian Agency Houses, but the Yankees chose to do business through the *banians*, because they rendered the same services at much less cost, and moreover, they were always at their disposal for all other works not purely related to business The supercargo and the *banian* lived together. Obviously they studied each other from the closest range and the *banian* was the person through whom the supercargo got acquainted with the larger society.

For having a proper estimation of the cultural significance of the Yankee commerce with Calcutta we have looked at the problem from multiple angles : such as, the images and interpretations of those who lived in Bengal; response of the consumers of Calcutta cargoes, and the vision of the East India merchants and mariners Unfortunately, the supercargoes and shipmasters who had once or several times lived in Calcutta were found to be extremely shy of interacting with the local people. Most of their experiences were limited to their business activities at the *Bazaar*, and besides business they showed least interest in moving out into the larger society for having an inside picture of the ways of life of the people. All they knew about the Bengalis were their own *banians* and *sarkars* who were not, in fact, the true representatives of the country. Nor was Calcutta a representative city which was built recently by the English as a commercial centre, and which was inhabited mainly by the Anglo-Indians, banians, clerks, shopkeepers, export artisans, sailors, and so on. The supercargoes and captains never bothered to visit the ancient seats of power and aristocracy, such as, Dhaka, Murshidabad, Lucknow, Delhi Though these cities were then only shadows of their past, yet they were still holding on as the living witnesses to traditional systems, arts and sciences

But all visitors were not equally indifferent. A good number of the supercargoes and captains showed remarkable interest in the people's ways of living and thought. They collected books and manuscripts,

curiosities, etc. and carried them to America for evaluation and using them for comparative studies of cultures According to them the Indians were poor, ignorant, unchanging, superstitious and ritualistic. They felt that though India was once prosperous and rich in arts and sciences, it was now downtrodden, depressed and degenerated. The people's food habit was such, as one of them observed,that the country was under the constant threat of famine and as regards food habit of the people and fragility of the economy of the country Bengal was worse than Ireland. Men-borne palanquin, the common mode of transportation in India, had amused the Americans in Calcutta most. They were also much amused by the Calcutta *nautch* to host which was a matter of great status and influence in Calcutta society. At the time of the departure of the supercargoes and captains their *banians* would invariably host a *nautch* which was to be preceded by a dinner. American guests would participate in such *nautch* with songs and toasts and short speeches Reminiscent gifts were exchanged between the hosts and guests. The gifts were always something reflecting culture of their respective countries. Quite a few among the supercargoes and captains like Bigelow, Hull and Norton, who had developed deep interest in the study of ancient Indian civilization, and they learnt Sanskrit and Persian in order to study the Indian classics in their original.

At home in America the people who used Bengal manufactures, but never saw the people of Bengal had different impressions from those who actually lived in Calcutta. They were deeply impressed by the great varieties of Bengal textiles, by their designs, colours, shapes, fineness and their over-all artistic composition For the elite it became a fashion and a matter of pride to possess some Bengal muslins, shawls, bandanas, chintz, etc and enrich their draperies with such luxuries They imagined Bengal in terms of the artistic and technological fineness that they saw in its products.

The culture of the East India commerce found its best expression in the **East India Marine Society** that was established at Salem in 1799. Only those who navigated into the East as merchants or mariners were eligible to become its members The aim of the association was to promote Indian Ocean knowledge including the collection and preservation of the objects of Oriental arts and sciences. By herding around this organisation the East India merchants and mariners had

formed an exclusive social and cultural club committed to enrich their own culture by understanding and appreciating others, such as the oriental civilizations. The members met every year celebrating the founding anniversary of their association The activities of the **East India Marine Society** was directed to accomplish a vision. It was to go to the East not as reformers, but as peace loving merchants sympathetic to other people's cultures. They professed to follow the ideal of Cosmo de Medicis, the ideal of enriching the native culture through peaceful inter-cultural commerce. The establishment of the **East India Marine Society and Museum**, maintaining journals recording navigational experiences, collection, preservation and exhibition of oriental objects and curiosities, wearing Indian dresses and ornaments and eating Indian dinners at the foundation ceremony of the Marine Society and many other activities were chalked out and executed by the East India merchants and mariners to convey the message that like Cosmo de Medicis they were disposed to mix commerce with culture, to benefit from other cultures by understanding and appreciating them

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INDIA AND THE NEAR EAST : THE BRIDGE OF ARABIA

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The purpose of the present paper is neither to offer a detailed and thorough evaluation of the interaction between the Eastern Mediterranean and the Near East on the one hand and the Indian world on the other, in the pre-Islamic antiquity, nor to scrutinize the central role of the Arabian peninsula in this intercourse The following notes may only pretend to be a preliminary reflection on a complex and rather poorly debated issue, which would need further research by specialists of various disciplines such as historians, philologists, archaeologists, art historians, etc [1] Several of the arguments I intend to develop will be based on the results of archaeological research in the Arabian peninsula which has been intensive and fruitful during the past thirty-five years.[2] However, to become more intelligible and get their full meaning, these data should be inserted in the broader approach of the *longue durée* history of the countries around the Indian Ocean, as it was recently presented by K N. CHAUDHURY (1990) for the Modern period and A WINK for the Medieval one (1991)

Looking at a map obviously shows that the Arabian peninsula and its bordering seas—the Red Sea and the Persian Gulf—appear as the natural and ineludible bridge between the western coasts of India, from Cape Cormorin to Karachi, and the eastern coast of the Mediterranean , from Antioch to Alexandria. That does not mean, indeed, that exchanges of any kind between these two areas were exclusively maritime and that no continental routes existed[3], but the focus here will only be on the maritime and trans-Arabian routes, without any attempt to balance the relative importance of the continental routes through Iran or Afghanistan on the one side and the relations through the Arabian Sea on the other one We are concerned with the Indian Ocean as a major stage in the diffusion of Indian influences and merchandises to the West and western cultural components or objects of trade to the East, this has

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become more accessible now through the archaeological investigation of numerous sites scattered all along the coasts of Arabia, opposite India.

It should not be considered as a mere coincidence of archaeological discoveries if the different seas bordering the Arabian peninsula—the Red Sea, the Arabian Sea or Sea of Oman along the southern shores from Aden to Oman, and the Persian Gulf—do not appear at the same time on the archaeological and/or historical scene. Indeed, one should consider the slow development of navigational techniques, the open-sea voyage from Aden to the coasts of Gujarat, probably existing as early as the first half of the 1st millennium B C (if not earlier) could not have been possible without a very long, technological process spread all around the coasts of the Indian Ocean. On the other hand, the maritime interconnections between the areas under consideration were obviously related to the various steps of different regional developments, which themselves were intrically linked to the development of inland cultures, nearby, or sometimes far-away As a result, the available evidence displays a patchwork of isolated data more than a continuous process, trying to fill the numerous and large gaps would be the responsibility of the archaeologists and historians of Arabia, with little hope of ever succeeding in such an endless task, but there is enough material now to suggest a few permanent trends [4]

The Gulf of Oman might have been crossed by small sailing boats from the 5th millennium onwards. Recent excavations on the southeastern coast of Oman, at Ras el-Hamra for example, have yielded evidence of cultural contacts with the southern coasts of Iran and Baluchistan However, the early emergence of such a micro-regional cohesion of the Arabian Sea should not lead us to assume more eastern connections, and nothing could support any idea of direct contacts with India at such an early stage

The true expansion of long-distance navigation in the Persian Gulf took place during the 3rd millennium B C , under the 'flag' of Dilmun [5] The toponym Dilmun is mentioned for the first time in some inscribed tablets found at Uruk, a South Mesopotamian city, in the late 4th millennium; the name was connected with copper from the very beginning References to the 'land of Dilmun' as a topic of the Sumerian epic poems and a major trading centre became more numerous from the middle of the 3rd millennium and reached a peak in the late 3rd/early

2nd millennium phase, known as Ur III and Isin-Larsa periods. Apart from being the land of Paradise where the hero Gilgamesh sailed down to find the flower of immortality, Dilmun was reputed for the goods and merchandises its boats used to carry to Mesopotamia ; copper, timber-wood and softstone (diorite) from Makkan, exotic woods, perfumes, spices, gold, peacocks, slaves, etc. from Meluhha All these texts present the Dilmunites as the undisputed middlemen in the eastern trade of Sumer and Babylon, both countries seriously in need of a large number of basic products from outside, especially timber-wood.

Cautious interpretation of the texts, sometimes much debated, together with the abundance of new archaeological data, allow us to encompass the area of Dilmun with a relative acuity. It included the Bahrain islands as the major centre of the area in the late 3rd millennium, the coast and oases of Eastern Arabia (usually known as al-Hasa) whose development was restricted to the early 3rd millennium; and the island of Failaka to the north, off Kuwait—the nearby island of Umm an-Namel having disclosed a few remains of the late 3rd millennium too. In terms of environmental conditions, these regions were characterized by the presence of fresh water (oases of Arabia, palm-tree gardens of Bahrain) which permitted agriculture and husbandry, and by an easy access to the sea (Failaka, Bahrain, Jubeyl, etc) : the earliest cultures which emerged in these regions were based on fishing and sailing as early as the 5th millennium in Bahrain and Eastern Arabia Further extension of the land of Dilmun to the north, towards the marshy area of southern Babylonia, is a rather controversial subject To the south, no actual Dilmunite remains were ever found beyond Qatar. Archaeological data about dilmun come from settlement sites at Ras al-Qalah/Qal' at al-Bahrain, Diraz and more recently Sar in Bahrain ;[6] and from Failaka where large public and religious buildings were excavated in the southwestern part of the island.[7] Another source of archaeological information arises from the hundred thousands burial mounds (tumuli) scattered in Bahrain and Eastern Arabia, they yielded quantities of locally-made and Mesopotamian potteries, richly decorated Dilmun seals, copper implements and weapons, bitumen objects, stone beads, etc

The country of Makkan is commonly identified with the Oman peninsula, with a possible extension of the toponym to the southern coast of Iran. Important sites were excavated along the western pied-

mont of the mountain range, among which the most prominent is Hili in the Buraimi oasis (United Arab Emirates) Irrigated agriculture was practised there since the early 3rd millennium (cereals, palm-trees, vegetables, fruits), and the copper industry appears as a major activity of the site [8] Other sites were found in the piedmont or in upper valleys, at Bat, Bahla, etc., and several ones were, or are being excavated along the shores of the United Arab Emirates (e g Umm an-Nar); these latter demonstrate that part of the economy of the inland oases was orientated to long-distance trade through the Gulf maritime lane.

It is widely accepted now that the Mesopotamian term Meluhha stands for the culture of the Indus valley, Harappan civilization, notwithstanding further extensions to the north or to the east The imports from Meluhha listed in the cuneiform texts seem definitely native from the Indian continent for the majority of them and leave no doubt on the identification of the toponym; moreover, they suggest direct or indirect connections with other regions of India beyond the Indus mouth [9] Harappan graffiti inscribed on jars were found in Oman, and true Harappan pottery occurs in several sites of the peninsula; Harappan-like pottery (red-slipped with black decoration in lines, on a heavy micaceous clay) is common on Oman, Bahrain and Failaka sites Harappan seals were uncovered in Oman and in Bahrain [10] All these data clearly indicate that Indian trade was channelling through the Gulf in the late 3rd/early 2nd millennium, Oman and Bahrain being the most important stages of the navigation

Who was handling this commerce is not ascertained yet No Dilmunite artefacts have ever been found in the Harappan sites, although cultural relationships between the two regions are sometimes obvious in the artistic depiction of religious or mythological themes, especially in the glyptic it would perhaps be premature to suggest the existence of Dilmunite communities (diasporas) in the Harappan area On the other hand, a Meluhhan neighbourhood is reported at Nippur, in Mesopotamia[11], which would indicate that some Meluhhan people did sail all the Gulf through—if the Meluhhans from Nippur are genuine Indians. Should we suggest then a kind of division/segmentation of the maritime lane ? The Meluhhans (and the people of Makkan ?) would have specialized in the navigation between India and Oman—see the absence Dilmunite artefacts in India, and the Harappan finds in Oman—,

and the Dilmunites in the sailing from Bahrain to Mesopotamia. In-between, Makkan was standing in a prominent place, and it would not be a surprise if we uncovered traces of Indian communities in the eastern part of the Gulf where they seem to have been 'at home' from immemorial times

The Dilmun civilization sharply declined from the XVIIIth century as a result of a similar decline of the Harappan culture, and because of political turmoil in Mesopotamia, the Guti and Kassite invasions, both terminals of the trading connection between India and Mesopotamia fading away, the middlemen of Dilmun had no longer need to exist. It does not mean that all kinds of cultural life disappeared in the Gulf in the 2nd millennium B C , and we know of the Kassite hold on Bahrain (and Failaka ?) and of an early Iron Age phase in several archaeological sites of the Oman peninsula [12] However, the great phase of the Dilmun civilization had vanished, and the Gulf area only revived in its trading role after a few centuries of 'darkness'. One last point should be emphasized : although early contacts might have been established between Eastern Arabia and southern Mesopotamia in the 5th millennium B. C., the emergence of early fishing and herding communities along the Arabian coast of the Gulf was not related to international trade [13] The local cultures of the Gulf had their own economy based on the exploitation of their local natural resources. On the other hand, it clearly appears that the trading and cultural connection with India/Meluhha was the major factor of development and decline of Dilmun civilization . such was the earliest evidence of Arabia being the bridge between India and the Near East

A rather different and new image characterizes the early centuries of the 1st millennium B C There is no actual shift in the general pattern drawn from the previous period, and the Arabian coasts of the Gulf regained their decisive function in the eastern trade of Mesoportamia—if they ever lost it even during the 'dark' centuries But new centres of activity and civilization blossomed in the Arabian peninsula, and these new regions have to be understood in the wider context of interrelations inside Arabia and connections with the outside world.

The major fact of the early 1st millennium B C. is the emergence of the south Arabian civilization. It was not born from nothing, and recent archaeological research revealed human occupation on the high plate-

aux of Yemen and in the valleys running down eastwards to the Arabian desert, as early as the 3rd millennium The settlement pattern intensified during the 2nd millennium, and more 'classical' sites of the 1st millennium B C were found to deep their roots in earlier stages of development during he 2nd millennium B. C The economical environment, social organization and interconnections of these early sites are still to be explored, and it is not before the beginning of the 1st millennium B C that what has been described as the 'classical' civilization of South Arabia revealed itself—the exact date of its emergence depending upon the paleographical interpretation of the oldest monumental inscriptions

Although it is still very elusive in the early south Arabic inscriptions and, moreover, in the archaeological remains, one of the important components of the classical period of South Arabia seems to have been the frankincense production. The evidence for it comes from outside Arabia. The introduction of South Arabian frankincense is marked by linguistic innovations—new words in the Assyrian and Greek languages (not to speak of the long description of the frankincense region by Herodotus in the Vth century B C)—and by the widespread diffusion of a new type of small, cubic, four-footed incense-burner made of stone or pottery all over the Middle East; the earliest occurrences, both philological and archaeological, can be dated to the VIIIth century B. C Whatever the real origin of the new type of incense-burner might be (a most controversial subject), it should be confidently associated with the steadily growing consumption of South Arabian frankincense in the Near East, and it is very likely that the new product came into due competition with the Indian aromatics.[14]

Another textual information can slightly enlighten the opening of new trade routes. In the royal annals of the Neo-Assyrian and Neo-Babylonian period recorded in cuneiform script on several monuments, obelisks, etc (IXth-VIth century B C) which refer to the many wars the Kings had to fight against the Arabs of the desert, mention is often made of the *riqqu'* among the booty taken from the temporarily subdued Arab tribes It is generally accepted that the term indicates aromatics and/or spices, and it has often been suggested that these *riqqu'* used to come from India [15] The presence of Indian products in the loads of the Arab caravans crossing the Arabian desert from south to north or from east to

west (see *infra*) would prompt us to assume renewed maritime contacts between Arabia and India, through the Persian Gulf as in the former period, but also through the harbours of South Arabia; therefrom, these products were carried to the north along the caravan tracks of the Yemeni and Hedjazi mountains up to the trading centres of the eastern Mediterranean, for example at Gaza in the southeastern corner of the Mediterranean Sea

One could find another indication about the existence of new routes The words Dilmun, Makka and Meluhha are still used in the Neo-Assyrian and Neo-Babylonian annals and they continue to refer to the Gulf area, the Oman peninsula and India as was the case in the 3rd millennium However, they also gained a new meaning in the 1st millennium B. C . from several contexts, it is clear that Meluhha also refers to southern Egypt and Nubia and to the region of East Africa, and Makka to some debated place in the Red Sea (the Sinai ?) I have tried to justify this geographical 'confusion' elsewhere, and I will not develop the arguments here again [16] The essential conclusions acknowledge the integration of South Arabia into the new geographical vision of the Indian Ocean, both from eastern (e g the royal annals) and western perspectives (Classical sources), and the opening—at least to our knowledge, whatever might have happened earlier—of maritime connections between India and South Arabia in the first centuries of the 1st millennium B. C The bridge of Arabia had two entrances then, one from the east through the Persian Gulf, Gerrha and other places, and another one from the south through the Yemeni harbours of South Arabia

A strong evidence of this is provided by the development of the oases in the Arabian desert It is roughly at the same period (VIIIth-VIIth to IVth-IIIrd century B C) that large oases blossomed in the middle of the desert sands of Arabia.[17] The al-Ula oasis, poorly excavated, nevertheless yielded remains of an important settlement and gardens datable to the VIIIth-VIIth century B C , it is located on the south-north caravan route from Yemen to south Jordan and seems to have been an early stronghold of the Mineans, later known as the most active trading tribe of South Arabia and one of the major kingdoms of the region. Further east, Teima was a large oasis protected by a long defence-wall, which sheltered several settlements and plantation areas, early remains

can be dated to the VIIIth century B C., and it was used as a refuge by the Neo-Babylonian King Nabonidus (556-539 av. J. C.) who made the oasis his new capital and the seat of the Moon-God Sin. Teima is strategically located at the confluence of southeast-northwest and southwest-northeast caravan tracks of the Arabian peninsula, a key-place to reach south Jordan and southern Babylonia Other oases developed elsewhere, at Dumat al-Gandal at the entrance of the wadi Sirhan, on the east-west route to eastern Jordan, and later, at Qaryat al-Fau, the headline of the central Arabian route from Yemen to the Gulfs [18] The caravans, often referred to in ancient Mesopotamian texts or in the Bible, which used to cross the arid sands of Arabia and halt in the oases were most probably loaded with regional products (frankincense, pearls of the Gulf, dates, etc), but also used to carry the Indian goods unshipped at Gerrha on the Gulf, or in the South Arabian harbours, up to the markets where the demand in 'exotic' products was continuously growing, that is the Eastern Mediterranean [19]

This elaborated system of maritime and trans-Arabian trade from India to the West was probably reinforced by the political unity that Darius and the Achaemenids imposed on the Near East We learn of the conquest of northwest India and the Indus Valley by Darius, perhaps up to the Gujarat region. We learn from Herodotus the expeditions Darius sent in the Indian Ocean (Scylax of Caryanda), probably to explore, or more likely to strengthen his control over the maritime route from India to the Gulf—which was actually an Achaemenid lake, Oman/Makka being one of the provinces of the empire We learn from inscriptions at Suez, in Egypt, that Darius opened a channel from the Nile river to the Red Sea and sent "ships to Persia" [20] Although the most important details of these various enterprises are still missing, the general concept of 'unifying' the maritime and trade routes of the Indian Ocean, at least to control them more efficiently, might have been a real concern for Darius Whether he succeeded or not we do not know, and his successors did not show much interest in this part of their empire—at least according to the Greek texts, our almost unique source on their history Therefore, it came upon the heir of the Achaemenids, Alexander the Great, to build up a real Indian Ocean policy

The Macedonian conqueror of India was highly concerned with Arabia, and modern historians are still arguing on Alexander's last wish

to conquer the peninsula as mentioned by Arrian. He sent several naval expeditions in the seas bordering Arabia : one of them explored the Red Sea under the direction of Anaxicrates, and probably reached the Bab al-mandad but did not venture too far in the unknown Indian Ocean along the coasts of Arabia Felix (Yemen). Three expeditions were sent in the Persian Gulf when Alexander was in Babylon in the last months of his life, sailing in the opposite way to Nearchus' return from India along the Persian coast of the Gulf such explorations had to examine its Arabian shores One of them most probably landed on Bahrain and might have stopped in Eastern Arabia as well (Androsthenes ?), and another one ended its course at the Ras Musandam, without attempting to explore the eastern coasts of Oman (Hiero) Although he had brought to light the facilities of navigation in the Red Sea and the Persian Gulf, Alexander was still unaware, at the time of his death, of the 1500 km of south Arabian coasts which separated the Bab al Mandad from the Ras Musandam ! However, his concern for Arabia and the Persian Gulf was definitely sealed (Arabian tells us that Alexander foresaw the Gulf as a region which might become as rich as Phoenicia), and his successors continued in the same path.

The Ptolemy rulers of Egypt launched several naval expeditions in the Red Sea, and probably reached the region of Aden, Socotra(?) and the horn of Africa (?) during the IIIrd and IInd century B. C According to the traditions reported by Agatharchidus, the prime interest of the Ptolemies was the capture and shipping of African elephants, as part of their military strength against the Seleucids also equipped with Indian elephants. However, more mercantile motivations seem to have prevailed from the late IIIrd/early IInd century B C , and a 'governor' of the Erythraean Sea was appointed in the mid-IInd century B C At about the same time, we are told the story of an Indian sailor who was found almost drowned on the Egyptian shores of the Red Sea, after having been rescued, cured and well-treated during some time by the Egyptians, he eventually learned their language, he served as a pilot to an expendition headed by Eudoxus of Cyzic which sailed straight to India by using the monsoon winds A second expedition ordered by the King, under the same captain, took place soon after, in both cases, the merchandises which the Egyptians brought back to their country were priceless As legendary or embellished as they might be, such stories nevertheless inform us on the

beginnings of direct sailing and trade from Egypt to India, a voyage which would dim all the rest of the Indian Ocean activity in the Ist century B. C.—Ist century A D The prominent role of the Red Sea as a major artery of the Indian trade did not actually begin before the middle (?) or late Ist century B. C.[21], and was well established at the time of Augustus. However, very scanty archaeological remains of the Hellenistic period (late IVth-late Ist century B C) were found so far along the Egyptian shores of the Red Sea, where several ports of the Roman period have been excavated

On the other side of the Arabian peninsula, in the Persian Gulf, the Seleucids were developing an active policy, well documented by the archaeological evidence [22] It was probably under the reign of Seleucos I (311-281 B C) that the Garrison and settlement at Failaka were established off Kuwait The site was excavated by a Danish mission in the sixties[23], and new excavations are being carried out by a French mission since 1983, with a temporary interruption since 1990.[24] Several buildings of different periods have been cleared out, among which a small Seleucid fortress, about 40 m × 40 m, with a defence-wall built of mudbricks on a massive stone basement and square towers in the angles Two sanctuaries were uncovered inside the building, one of fine Greek style, amidst a strapwork of small houses probably used as a camp for the garrison. The archaeological material displays evidence of various activities of the daily life (fishing, weaving, bitumen industry, more occasionally agricultural implements), as well as a large variety of offerings to the temples, such as terracotta figurings of Oriental or Greek style in great quantities Two other sanctuaries of roughly the same period were found outside the fortress, one along the beach probably dated to the first half of the IInd century B. C , the other one further inland (Tell Khazneh), which was already existing as a local sacred place before the arrival of the Greeks Among the important findings, mention should be made of several Greek inscriptions, one of them establishing the status of the Greek settlement (the Ikaros stela), and three monetary hoards of Seleucid silver coins mixed with an Arab, local silver coinage The foundation of the Greek establishment can be dated to the very early IIIrd century B. C (or final years of the IVth century), and its abandonment to the mid-IInd century B C., when the Seleucid power collapsed in Babylonia A short-lived reoccupation of the site took place

in the late Ist century B C. —mid Ist century A D , and should be related to the expansion of the Characenian kingdom based in southern Babylonia around Basrah

The *raison d'ttre* of Greek Failaka, or Ikaros as it was named by the Greek settlers, seems to have been military more than commercial. There are no traces at all of long-distance trade, and the only recognizable connections are regional with Eastern Arabia, Bahrain, southern Babylonia and southern Iran. It is suggested that the island might have served as a permanent base for a Seleucid navy, the function of which would have been to control the head of the Gulf and entrance of the Mesopotamian rivers, a strategic place for the navigation in the Gulf itself and to or from India Another function of this navy might have been to patrol the Gulf waters to maintain security, but in such a case other stages along the coasts of the Gulf would have been required for the task . these have not been ascertained yet (Bahrain ? Mleiha ?) Beyond the situation of Failaka/Ikaros as a 'frontier-post' of the Seleucid empire, the military presence of the Seleucids in the area was obviously intended to secure trade in the Gulf; there are many quotations in the Classical sources that the Indian trade was flourishing under the Seleucids and reached the eastern mediterranean harbours through the Euphrates valley, the Seleucid kings were certainly akin to keep this trading flow steady and make profit of it Although no Indian archaeological material was found on Failaka—a type of black-washed pottery remaining problematic, there can be no doubt that the island was firmly connected to the Seleucid policies towards the Mauryan empire.

Other places in the Gulf of the Hellenistic period were equally important A strong settlement existed on Bahrain, at Qal'at al-Bahrain, sections of a massive defence-wall dated to the IIIrd-IInd century B. C were uncovered, together with several houses nearby The site yielded Greek black-glazed pottery, Arab silver coins imitating the Seleucid coinage, along with the typical green-glazed pottery common in the whole Gulf at the same period, and examples of a so-called Arabian pottery attested on Failaka and in Eastern Arabia as well [25] It would be very tempting to suggest the existence of a Greek settlement on Bahrain similar to the one on Failaka, but the archaeological evidence is too scanty. One point should be stressed . in the Classical literature referring to the Gulf, the islands of Bahrain/Tylos (their Greek names) are the

most well-known places of the region, and the most accurately described. In 205/4 B. C., on his return from India, Antiochus III stayed in Bahrain as if he was at home.

Another important place was Gerrha, the Arab *emporium* on the coast of Eastern Arabia facing Bahrain. Its archaeological existence was never discovered (a few locations are proposed on the base of surface finds), but several classical texts mention it as a wealthy and active city Most of the caravans to the west departed from Gerrha, and two merchants from the Arab *emporium* offered dedications in the sanctuaries of Delos, a sacred island and major *emporium* of the eastern Mediterranean Sea Although the port of Gerrha itself remains unknown, a huge settlement was found at Thaj, some 150 km inland, and should be associated with Gerrha at least as the first and most important stage of the caravan route to the west Sections of a massive city-wall with protruding towers have been uncovered, but most of the several square-kilometers area of the site remain unexplored. The finds show a typical Arabian facies (same Arabian wares as in Bahrain or on Failaka), but include also Greek black-glazed pottery and Arab silver coins imitating the Seleucid coinage [26] On his return from India in 205/4 B. C. Antiochos III stopped in Gerrha, and by means of some unknown military demonstration, threatened the city; the inhabitants 'bargained' their freedom with an enormous tribute of frankincense and silver, and probably definitely turned to the Seleucid alliance.

Finally, mention should be made of a site in Oman, Mleiha, on the western piedmont of the mountain range, some distance north from Hili A small fort was recently discovered there, nearby a settlement which exhibits a typically local culture However, several fragments of Rhodian amphorae originating in eastern Mediterranean Sea were found in some tombs of the site , all this material dates to the IIIrd-IInd century B C , and remains rather enigmatic in the context of strictly local cultures [27] On the Indian Ocean side of the Oman peninsula, scattered remains of the IIIrd and IInd century B C were uncovered at Sohar, a major harbour of the Medieval period, but there is no clear evidence of the settlement pattern in this region so far.

The general perspective of the Persian Gulf at the time of the Seleucids remains ambiguous On the one hand, we have evidence of a permanent and well-established stronghold at the northern head of the

Gulf on Failaka, its role of 'watchman ' of the Gulf can hardly be denied. Although no real traces of other Seleucid settlements can be found along the Arabian coasts of the Gulf, Greek imported material or Greek-like finds are scattered all over the area, along with what has been properly identified as local cultures · if hellenization is a problem which tackles the development of Failaka/Ikaros, nothing similar could be conceived in Eastern Arabia and Oman Then, a possible interpretation would see the non-local archaeological data as intrusive 'troublemakers' in a rather closed context of isolated and local cultures, without true explanation for their being there The syllogistic conclusion would be to kick out any Seleucid presence or influence beyond Failaka.

On the other hand, the Seleucids were strongly involved in the Gulf both for commercial reasons and in the wider context of their relations with the Mauryan empire. It seems very unlikely that they did not try to keep control over the region, as evidenced by Antiochus III's episode at Gerrha (and Antiochus IV's plans to send a military expedition to the Gulf and India ?) In that case, the system of control would not have been permanent, military settlements like failaka spread all over the Gulf area, but more probably alliances with the local rulers, sometimes mixed with threats and/or demonstration of military strength (Gerrha ? One other example is known under the reign of Antiochus IV, when the satrap Numenius defeated the Persians near the Ras Musandam both at sea and ashore). Furthermore one should not underestimate the role of Greek mercenaries attached to the local rulers, which might explain the large variety of Arab silver coinages imitating Seleucids models, and would justify some isolated finds, such as Greek amphoras at Thaj or Mleiha.

Whatever the precise political situation might have been, it is now well established that the Gulf was the main artery of the Indian trade towards the Seleucid empire (including transshipment along the Euphrates, in order to reach Antioch on the eastern Mediterranean coast, and thence any market in the Mediterranean Sea, e g Greece or Italy), as attested by the monetary finds, several Classical texts, and the rich archaeology of the Gulf region Thus, a major issue of historical research would be to question, and evaluate what the exact place of the Gulf was in the Seleuco-Mauryan alliance, especially when the Graeco-Bactrian, then Indo-Greek kingdoms gradually lost all kind of relations with the central seat of the power in Seleuceia-on-the-Tigris

At the same time, the maritime route between India and South Arabia, opened in the previous period, remained active, as shown by the development of the South Arabian civilization and the steady caravan trade from Yemen to Gaza (see, for example, the information provided by the Zenon papyri in the IIIrd and IInd century B C) However, as mentioned above, the navigation in the Red Sea was progressively taken over by the merchants of Egypt, and the Yemeni southern entrance of the 'Arabian bridge' was not so far from being diverted to Alexandria

Major changes occurred in the second half of the IInd century and the Ist century B. C. The Seleucid power vanished in southern Mesopotamia after the Parthian conquest of Babylon in 141 B C. The history of the Persian Gulf is no longer related to the Seleucids, but is to be associated with the slow and rather discrete regarding the written sources, development of the kingdom of Characene, centered around the ancient city of Alexandria on the Tigris (?), which later became Antiocheia then Spasinou Charax, near Basra in southern Iraq Officially vassal of the Parthians, the kingdom most often remained independent, and stood as one of Rome's 'friends' in the late Ist century A D. The Characenians undoubtedly took control over the Arabian coast of the Gulf their king was sometimes called friend (and king ?) of the Omani, and a governor of Bahrain in the IInd century A D was appointed by the king of Characene. They were actively involved in the Indian trade, but the written texts tell us of their partners only, the Palmyraneans, more than of the Characenians themselves The presence of Palmyra in southern Babylonia leads us to another story, and it is under the Characenians that the Persian Gulf entrance of the Arabian bridge was diverted to northern Syria, leaving Eastern Arabia aside

In the late Ist century B. C , Egyptian merchants finally controlled the Indian Route, through the Red Sea to Aden and Qana, then by straight sailing in the open sea to Barbaricum, Barygaza or Muziris on the western coast of the continent The bridge of Arabia was superseded by the direct navigation from Alexandria to Arikamedu, a major topic for modern historians, beyond the scope of this paper.

However, a close study of the *Periplus of the Erythraean Sea*, our main if not exclusive source of information on this trade (Pliny is often obscure and misleading, especially about the Persian Gulf), reveals more qualified conclusions From this text, it is clear that the straight route

Red Sea—South Arabia—India as defined by Pliny represents only a small part of a much more intense and diversified activity along the shores of the Indian Ocean The relative exclusivity of our sources (Graeco-Roman, from Alexandia or Rome) is actually hiding other routes and trends of trade, which are not referred to in the written sources but did really exist. Trade in the Indian Ocean in the Ist century A. D. should not be restricted to the Rome -India trade.

Another information we can get from the *Periplus* is the most common segmentation of the Indian Ocean trade It would have been exceptional that a cargo loaded at Myos Hormos in the Red Sea could have reached Muziris or Arikamedu aboard the same ship, transshipments, loadings and unloadings, even changes in the ownership of the cargo nust have been the rule Beyond a few exceptional direct transactions, we must imagine a divided, segmented trade of redistribution all along the coasts of the Indian Ocean For example, I have suggested elsewhere that some of the Indian harbours, especially Barbaricum and Barygaza, might have been the markets where Arab merchants of the Persian Gulf used to come and buy Roman products and import them in their country[28]— we know nothing of a Roman navigation in the Gulf waters, although Roman material was unearthed at some sites in Oman In that sense, the close connections between India and Arabia remained steady and efficient beyond the glamour of the Rome-India trade (see, for example, the description in the *Periplus* of the heavy shipments sent from Barygaza to Apologus at the northern head of the Gulf), and Arabia continued to be one of the main partner of the Indian trade, either regional or even international, through Saba and the Hadramawt in South Arabia, or Characene and Palmyra in the Persian Gulf

A Final point will emphasize the argument, referring to semantic changes In several Latin sources of the IInd century A d and later, the Gulf area is termed *'fines Indiae'* that is the borders of India Syriac sources of the same period often designate the gulf as the Indian Sea. Later sources (IVth-Vth century) tell us that the king of Himyar (South Arabia) was the king of the Indians and that East Africa belonged to the king of the Indians Although the archaeological evidence of these periods has not been explored yet, such texts clearly reveal the long-established cohesion of the Indian Ocean and the special ties between

India and Arabia, especially in the view of their relations with the eastern Mediterranean world

Notes and References

1. I would like to express my deepest gratitude to the Council of the Asiatic Society of Bangladesh, and to the then General Secretary of the Society, Dr Hasna Begum, for having given me the opportunity to present this contribution to the learned assembly of the Asiatic Society at its Tenth Monthly General Meeting, held on November 12, 1992
2. I have been personally involved in that field for more than fifteen years, first in the United Arab Emirates, then in Bahrain and more extensively in Kuwait my research was mainly devoted to the historical periods
3. There were at least two major arteries connecting the Mesopotamian Middle East and India, through the Iranian plateaux and Baluchistan to the South, and southern Central Asia and Afghanistan to the North In the historical period, one of the major centres of the northern route was Ai Khanoum in Afghanistan, a Graeco-Bactrian site showing close connections with Taxila and northwestern India, see recently RAPIN, 1992 Archaeological data point to a very early use of these routes, 6th-5th millennia B C (e g. TOSI, 1986 b)
4. For example, TOSI, 1986
5. The modern, archaeological and historical literature about Dilmun is nowadays extensive and should not be quoted here A useful introduction remains the book by G T BIBBY, 1970, largely outdated but giving a nice glance on the first discovery of the Gulf archaeology A major contribution to the Dilmunite studies was the conference held in Manama (Bahrain) in 1983, and published in 1986 The most recent synthesis on the Gulf area from the 4th to the 2nd millennia B C was presented by D T POTTS in 1990 (vol 1)
6. Preliminary reports on this major excavation of a large village in the northeastern part of the island have regularly been published in the journal *Arabian Archaeology and Epigraphy* (Munskgaard, Denmark) since 1991
7. The final results of the Danish excavations on Failaka are being published now . KJAERUM, 1983, HØJLUND, 1987 Three interim reports of the French excavations on Failaka have been published so far, the most recent one *FFF III* including a contribution on the Dilmun settlements and an updated bibliography
8. The final publication of Hili excavations is in preparation See CLEUZIOU, 1986, CLEUZIOU, 1989, CLEUZIOU, 1989, CLEUZIOU & TOSI, 1989
9. On the Mesopotamian trade with Meluhha, see LEEMANS, 1960, HEIMPEL, 1987, and the recent qualifications on the Indus Valley trade by D K CHAKRABARTI, 1990 An important contribution is CLEUZIOU, 1992 For a more general view of Mesopotamian trade, including Dilmun, Makkan and Meluhha, EDENS, 1992
10. WEISGERBER *et al.*, 1981 BRUNSWIG, PARPOLA & POTTS, 1983

11 E G DURING CASPERS, 1982, although several conclusions of the author are subject to discussion See also BRUNSWIG, PARPOLA & POTTS, 1983

12 See various contributions in the recently published colloquium Golf-Archaeologie, especially about the sites of Shimal and Rumeilah in the United Arab Emirates

13 POTTS, 1990 28-61 With previous bibliography

14 A problem remains unsolved Aromatics were used in the Middle East from a very long time, and if no Sumerian or Akkadian word can be equated with certainty to what is called genuine frankincense, we are aware of several odoriferous and burning plants in use from the 3rd millennium at least It might have been storax, myrrh, or some species of frankincense unknown to us Where did these aromatic plants come from—apart from the storax, which was native in the Near East ? The floras of India written by British scholars in the XIXth century provide information; on frankincense (*Boswellia serrata*, source of *olibanum*) and myrrh growing in several places of the continent Could it be possible that some of the aromatic plants used in the Middle East before the 1st millennium B C (period of the South Arabian frankincense) were of Indian origin, and were still competing with the South Arabian product in the last centuries of the 1st millennium (see the difference of price mentioned in Gaza in the 3rd century B C , between the Minean frankincense—undoubtedly from South Arabia— , and the Gerrhaean frankincense coming from the Gulf coast which is certainly not a growing region but was closely related to the Indian trade)?

15 See VAN BEEK, 1958, EPH'AL, 1982 The theory is not universally accepted, see RASCHKE, 1978, although this monumental paper is not reliable on several critical points

16 See SALLES, 1989 and 1990

17 See the archaeological and historical reports on these oases in the journal of the Department of Antiquities and Museums of Saudi Arabia (Riyadh), *Atlal*. Two Saudi theses were recently presented, one on al-Ula, NASIF 1988, and the other on Teima, ABU-DURUK, 1986

18 On the trans Arabian routes, see for example POTTS, 1988

19 One of the side effects of the Indian trade was the rapid development of the Phoenician trade Although their ships were carrying a majority of Mediterranean products from east to west and vice-versa, they became the almost unique intermediaries of the Indian trade which they dispatched all over the coasts of the Mediterranean Sea Notwithstanding the impossibility of quantifying the volume and value of such exchanges, it seems however obvious that the Phoenician trade reached its peak during the Achaemenid period

20 On the Achaemenid involvement in India and the Indian Ocean, see the series entitled *Achaemenid Workshop*, ed by H Sancisi-Weerdenburg and A Kuhrt, Nederlands Instituut voor het Nabije Oosten Leiden, especially the vol IV, *Centre and Periphery*, 1990 (contributions by BOUCHARLAT, GRAF, SALLES, VOGELSANG), and vol VI, 1991 *Old cultures in a new Empire* (contribution by TUPLIN)

21. On Ptolemic explorations in the Red Sea, see DESANGES, 1978, and the recent edition of 'Agatharchidus by BURSTEIN, 1989 On Classical navigations around the Arabian peninsula from the Vth to the Ist century A. D , see SALLES, 1988

22 See SALLES, 1987, and more recently, SHERWIN-WHITE & KURHT, 1993

23 See MATHIESEN, 1982, HANNESTAD, 1983, JEPPESEN, 1989

24 See *FFF* I (1984), *FFF* II (1986) and *FFF* III (1990)

25 Most of the archaeological data from Bahrain remain unpublished, to the exception of a few preliminary reports in a Danish journal, *Kuml.* A first volume of the final publication is in press See also POTTS, 1990 (vo 2) 103-153

25 See POTTS, 1990 23-102, which sums up several of previous articles by the same author

27 See POTTS, 1990 264-300, and BOUCHARLAT & MOUTON, 1991

28 SALLES, 1993 An important objective of further research would be to re-study materials from the Gulf area and from India and try to find their affinities Some good results are already available for the Ist century B C

J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No. 1, June 1994

THE 1940 LAHORE RESOLUTION : BENGALI IDEAS OF STATEHOOD

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As it is widely known, the Bengali Muslims played a decisive role in the Pakistan movement Without the kind of support that the Bengali Muslims had rendered to the Pakistan movement there would have been perhaps no Pakistan state. These supports were mobilized by their leadership. Ironically, the same Bengali Muslims were soon mobilized against the state they had contributed so much to its creation. How to explain this behaviour ? How was it that there should be a Pakistan state comprising two wings separated by more than thousand miles of foreign territory ? What does the emergence of formerly East Bengal as the present independent Bangladesh indicate ? How should H. S Suhrawardy being a co-founder of Pakistan initiate the move for United Independent Bengal before the end of the Raj ? What was the 'statehood idea' of the Bengali Muslim leadership ? These questions deserve our serious consideration. The paper is an attempt to bring out thoughts and ideas configuring the political transformation leading to the formation of the state of Bangladesh

The 'statehood' idea of the Bengali Muslims was first manifest through the Muslim League's 1940 Lahore Resolution A proper view of the Lahore Resolution, and for that matter the Pakistan ideal, is critically important toward the understanding of the subsequent political development.

The Lahore Resolution : Meanings and Perceptions

The Resolution stated, inter alia, as follows :[1]

> Resolve that it is the considered view of this session of the All India Muslim League that no constitutional plan would be workable in this country or acceptable to Muslim unless it is designed on the following basic principle, viz. that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, *that the areas in which the Muslims are numerically in a majority as in the North-Wes-*

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tern and Eastern Zones of India should be grouped to constitute 'Independent States' in which constituent units shall be autonomous and sovereign This session further authorise the working committee to frame a scheme of constitution providing for *the assumption finally by the respective regions of all power such as defence, external affairs, communications, customs and such other matters as may be necessary*

It suggested the partitioning of India on communal lines. This was a counter thesis to the Congress view of *Akhand* (united) India and their composite notion of nationalism The Muslim League's very poor electoral performance in the 1937 Assembly elections and the general Muslim fear of Hindu domination in United India as evinced in the seven Congress-governed provinces immediately led the League leadership to adopt this separatist path, finally and resolutely To advance this goal there was to be a united front of the Indian Muslims. The Muslim League was not such a platform then For long it existed as an effete body, remaining confined to the U. P. and playing a protective role of safeguarding Muslim vested interests there The Muslims of India were divided among themselves between majority and minority provinces and by other loyalties such as centre vs. province, Bengali vs non-Bengali, Islam vs social and economic salvation of the community. Organizationally, there were strong provincially based formations among them, such as, the Krishak Praja Party (Bengal), the Unionist Party (Punjab), Khaksars (Punjab), Ahrars (Bihar) and Khodai Khidmatgar or Red Shirts (N W. F. P.).

The Lahore Resolution provided the Indian Muslims with a very attractive and fast moving political programme—creation of independent homelands. In their "justification" of the demand for communal partition, Jinnah and other leaders of the League resorted to the so-called two nations theory.

Indeed this was more a framework of united struggle of the Indian Muslims, who were otherwise divided, against their common enemy, Hindus or Congress than being a theoretical basis for their demand. In any event, the framers of the Lahore Resolution had to face intriguing problem in defining their goals in concrete terms It was not simply a matter of surgical operation that the Resolution entailed How to combine the two Muslim-majority areas, being more than thousand miles away, was a real dilemma Unlike Iqbal at Allahabad (1930), it was not possible on the part of the non-Bengali Muslim leadership to altoge-

ther ignore the case of the Bengali Muslims They constituted more than one-third of the total Muslim population of India In whole India it was Bengal alone where after the 1937 elections the Muslim League was able to become a partner of a coalition government formed under the leadership of A K Fazlul Huq On the other hand, in the other Muslim-majority areas the League failed to field candidates in Sind and the N W F. P. at all and was only able to secure two seats in the Punjab So it was indispensably necessary for Jinnah and other non-Bengali leaders to associate Bengalis with the League demand

However, given the territorial incontiguity between the two Muslim-majority areas, organizational weaknesses of the League and its feeble representative character and, above all, marked awareness among Bengali Muslims of constituting a distinct category, any attempt by the League leadership toward a categorically defined single Muslim state would have been an impractical one, particularly unacceptable to Bengal.

Thus, by suggesting the establishment of 'independent states' in the Muslim-majority zones in North-western and Eastern India the Lahore Resolution virtually contemplated two independent states for these two regions Apart from the coining of the words "Independent States", this contention was corroborated by the last part of the Resolution, as seen above. Perhaps to win further support from the provinces within the Muslim majority zones a federal structure was offered to them under which they would enjoy autonomous status as 'constituent units' of the respective state Of course, the Resolution was not totally free from ambiguity[2]. In the given context this might seem to indicate a strength rather than weakness of the Resolution promoting the matter.

For a certain length of time, Muslim leaders of Bengal understood the Lahore Resolution in terms of establishing two independent states in two Muslim-majority zones of India They were known to have made attempts long before 1947 to give shape to the scheme so far as the Eastern zone was concerned, developing the idea of independent Eastern Pakistan or some kind of greater Bengal This dated back at least to Jinnah-Gandhi talks (Bombay) in September 1944.

Plans for a Separate State in Eastern India

The scheme for Pakistan or division of India was the major issue of discussion between Jinnah and Gandhi at Bombay It can now be known

that on the eve of their talks the Working Committee of the Bengal Provincial Muslim League at special meetings (held at the House of Suhrawardy) discussed different plans concerning the form, shape and boundaries of the proposed state in eastern India for several days (13th, 14th and 16th August).[3] These plans included · Raghib Ahsan's Confederacy of East Pakistan and Adibasistan, Hamidul Huq Chowdhury's Plan for United Bengal and Assam and Fazlur Rahman's Plan for the Curzon Partition Lines or East Bengal and the Surma Valley of Assam.

Raghib Ahsan's plan envisaged a confederation between Eastern Pakistan or Bangasam (composed of whole Bengal and Assam and the districts of Purnea, Manbhum and Singbhum[4] from Bihar) and the autonomous homeland of adibasistan (to be created for the tribal people consisting of the Chota Nagpore division and the district of Santhal Parganas (Bihar) and the tribal majority states in or adjoining Bihar and Orissa on common basis in matter of defence, communications, currency and customs, natural resources and foreign affairs.[5] In the preamble, it was stated.

> it is one thing to constitute a separate province within the orbit of an Empire and it is quite different thing to constitute a separate, sovereign and independent state, responsible for its own defence, internal and external security, financial solvency and economic self-sufficiency

The boundaries as suggested under the two other plans were self-defined Indeed there were mainly two currents of opinion among the Bengal Muslim League leaders regarding the boundaries of the contemplated state As R. G Casey, then Governor of Bengal, wrote to Lord Wavell.[6]

> Within the Muslim League majority opinion favours a claim for the whole of Bengal and Assam plus an adjacent portion of Purnea District of Bihar which has a Muslim majority The minority advocates a more homogeneous Pakistan omitting the Burdwan Division (comprising Howrah, Hooghly, Burdwan, Midnapur and Bankura Districts) and including the rest of Bengal and the whole of Assam plus some of Purnea District in Bihar Both points of view were put to Jinnah on the eve of the talks

Suhrawardy and Abul Hashim (then Secretary of the Bengal Provincial Muslim League), who later initiated a move for United Independent Bengal, were the exponents of the majority view i e., some kind of Greater Bengal. Being a most trusted and loyal supporter of

Suhrawardy, Raghib Ahsan[7] might be seen as the spokesman of the Suhrawardy-Hashim group in the League Working Committee in this matter. Raghib Ahsan writes [8]

> Mr. Suhrawardy from the outset supports plans for making East Pakistan strong in area, manpower and economic resources He advocates at least incorporation of Manbhum and Singhboum and Balasore in the scheme of East Pakistan through agreements with tribal peoples East Pakistan must have natural frontiers, self-sufficiency in food, adequate living space for Bengal's rapidly growing population and resources for industrial developments specially iron and coal which are essential for industrialization and defence He wants to keep Hindu population contented He says the Muslims should not fear even if their ratio is reduced to barest majority

As can be seen, apart from allaying Hindu opposition, the other objective of the Suhrawardy-Hashim group while holding the view of Greater Bengal was to make 'Eastern Pakistan' a viable state.

Meanwhile, Khwaja Nazimuddin, Maulana Akram Khan (President of the Bengal Provincial Muslim League) and their followers advocated the alternative minority view (a more homogeneous state) within the party. They were mainly motivated by the need for ensuring a clear Muslim majority over non-Muslims in the contemplated state. This was evident from an earlier discussion between Casey and Nazimuddin. The former wrote .[9]

> Nazimuddin tells me that this area [i e , the whole Assam, Bengal minus Burdwan Division, and a portion of Purnea district in Bihar] would give them a majority of 58 per cent of Muslims in place of 51 per cent if only all Bengal and Assam were to be included that Muslims breed faster than the Hindus, and that this 58 per cent would reach 60 per cent and more within a relatively few years

On 24 August 1944, while communicating to Jinnah "my humble opinion about the E Pakistan", Akram Khan enclosed a plan called *The Construction of the State of Eastern Pakistan* indicating similar boundaries [10]

In September 1944, the East Pakistan Renaissance Society (founded in 1942 by a group of Muslim literati and journalists some of whom were closely associated with the Bengal Muslim League) published a booklet entitled *Eastern Pakistan Its Population, Delimitation and Economics.*[11] The State idea, as envisaged in the Lahore Resolution, was explained in the *Introduction* as follows .[12]

> The political demand of the Musalmans of India is popularly termed as the demand for Pakistan The idea of Pakistan is based on theory that the Musalmans of India constitute *separate nationalities* of their own and therefore deserve to be treated as such . In those contiguous areas where they form a majority of the total population they are entitled to form states of their own provided those areas are capable of maintaining separate state—lives both economically and militarily In accordance with this principle, North-West and North-East Indias should form into two states separate from the rest India With the exception of the constitutional right of deciding the issue of Pakistan, the Hindu residents in Pakistans will have full citizens' rights and correspondingly Muslim residents in Hindustan should have full citizens' rights This is the substance of the Lahore Resolution of the All India Muslim League—the resolution that has remained the sheet-anchor of the Muslim political demand since then

Thus, the East Pakistan Renaissance Society contemplated Pakistans and not Pakistan—two independent Muslim states instead of one in definite terms

As regards boundaries, the booklet contains a map[13] coinciding with the minority view within the Bengal Muslim League

With regard to the form of government, it was suggested that Eastern Pakistan should be a federation Referring to the Native States such as Tipperah, Coochbehar, Manipur and Sikim, it was held that these states were too small to have an independent status Moreover, some of them were completely surrounded by Eastern Pakistan So, when they would opt to join Eastern Pakistan, they would be incorporated as federating units.[14] Elaborating the economic and military prospects, the booklet maintains that "on military and economic grounds Eastern Pakistan stands impregnable "[15]

From Pluralism to Centricism

The League High Command avoided defining the Pakistan Scheme in concrete terms until 1946 By then, the Quaid-i-Azam had emerged; Pakistan had become the creed of the Indian Muslims, the Hindu-Muslim communal relations had deteriorated to an almost unbridgeable extent, the formerly popular Krishak Praja Party had vanished from the political scene of Bengal and the Bengali Muslims had cast their lots with the Muslim League, Jinnah and the League had further consolidated their position through the 1945-46 general elections , provincialism had been overtaken by all-India Muslim solidarity

It must be noted that there was no mention of *Pakistan* in the Lahore Resolution, however, it soon came to be known as the Pakistan Resolution. The notion of Muslim emancipation through partitions under the Lahore Resolution inflamed the Indian Muslims like wild fire, setting them into a confrontation course with Hindus In an atmosphere of communal frenzy and in the absence of any clear-cut definition of the contemplated Muslim homelands by the League High Command, the Muslim popular perception of Pakistan was increasingly settling from the movement of Muslim separatism (whatever the details about the form of Muslim homelands) in favour of a singular state. The originally pluralistic view of the Lahore Resolution went through transformation convulsing into centricism or some kind of monotheism

Thus, soon after the 1945-46 general elections and with the looming large of the prospect of India's early independence in a postwar situation, Jinnah came out to define Pakistan as a singular state at the Delhi Muslim Legislators' Convention[16], held on 7-9 April 1946. In Bengal, Khwaja Nazimuddin, Akram Khan and other loyal supporters of Jinnah instantly fell into the official line. This shows that for them the idea of independent Eastern Pakistan was not a matter of deep conviction. In the absence of any concrete view from Jinnah, for sometime they thought of it in the light of the Lahore Resolution Anyway, Suhrawardy and Abul Hashim did not seem to have drifted away from their original view of the Lahore Resolution, which they understood to recognize Muslim national variations To quote Hashim, "In the Lahore Resolution I saw my complete independence as a Muslim and as a Bengali."[17] In March 1945 Abul Hashim published a *Draft Manifesto* for the Bengal Muslim League which, in part, set out the basic principles of the state in eastern India as they visualized it In September 1946 in the course of a detailed interview with *Hindu* (an English Daily published from Bombay), Suhrawardy said :[18]

> People ask me to treat Bengal's problem differently from the rest of India But in so doing they are actually admitting in a sense the principle of Pakistan for you recognize that regions have their own problems to settle I, too, believe in the future of an independent Greater Bengal where the people of Bengal should solve their own problem I firmly believe that Bengalis when charged with the problem of looking after their own destiny will never fight among themselves but will co-operate in the grand endeavour to make it great and prosperous

While officially launching the move for United Independent Bengal at a press conference in Delhi (27 April 1947), Suhrawardy reiterated . "I have visualized all along . . . Bengal as an independent state and not part of any union of India "[19]

Conclusion

The Bengal Muslim leaders thought of establishing a separate state independent of West Pakistan in the Muslim majority Eastern Zone of the then India under the 1940 Lahore Resolution It is revealing that as back as 1944 they made some attempts to give shape to their visions concerning this state. The move for United Independent Bengal by Suhrawardy and others in 1947 was not an isolated event , it was a manifestation of the same thoughts and ideas And the Lahore Resolution was the basis This might explain why Jinnah did not make any public utterance against the move, though his preference was single Pakistan state comprising the two Muslim-majority zones For the Suhrawardy-Hashim group within the Bengal Muslim League, the so-called two nations theory was not an article of faith as an ideological basis of *Akhand* Pakistan , rather a strategic framework for the united struggle of the Indian Muslims against their common principal enemy Paradoxically, this approach at the same time alienated the Bengali Hindus who held nearly a balanced numerical position and whose support was essential to the realization of their state vision. It was not possible for Suhrawardy and Hashim to publicize their idea until 1947, which largely remained the preserve of a number of leading figures at the top. Of course, situations were not fully favourable India was at war during 1939-1945. Things were moving in the utmost speed There occurred a terrible communal riot in Calcutta, known as the Great Calcutta Killing, on 16 August 1946 widening further the gap between the two communities in Bengal All these helped Jinnah. He succeeded in establishing a single Pakistan State, though the creed of the League—establishment of 'independent states', meaning more than one state—remained unchanged even then However, Jinnah's success was not to last long. Bengali national variation came to be asserted now more prominently in the Pakistani polity soon after its birth and with a new dimension. As a matter of fact, the state of Pakistan that came to be founded in 1947 did not resolve the Bengali nationality question ; Pakistan was only born with it so much so that one can find the language

movement at the very early days of the state. The 1947 development may be seen as a hyphenated one in the long process of state formation in this region The policies of the West Pakistani ruling regimes only contributed to advance it, culminating in the emergence of Bangladesh as an independent state in 1971

Notes and References

1 Syed Shamsuddin Pirzada (ed), *Foundation of Pakistan · All India Muslim League Documents 1906-1947* Vol II, (Karachi 1970), 341 Emphasis provided through italicization

2 The Resolution, inter alia, says," constituent units shall be autonomous and sovereign" It hardly needs to be mentioned that a unit cannot be 'autonomous' and at the same time 'sovereign' since the status are not synonymous

3 For details, see Raghib Ahsan, *Hussain Shaheed Suhrawardy And The Inner History of The United Bengal Scheme*, Jinnah Awami Muslim League 1951). 1—22, in National Archives of Pakistan (herein after NAP), Index RB/211

4 These were originally districts of Bengal upto 1912

5. For details, see *Confederacy of East Pakistan And Adibasistan* as enclosed in Raghib Ahsan to Jinnah, 14 August 1944, *Quaid-i-Azam Papers*, F 204, 334-29, in NAP He also sent to Jinnah charts and maps of the state as contemplated Raghib Ahsan to Jinnah, 2 September 1944, *Quaid-i-Azam Papers*, F 5, 1-3

6 Casey to Lord Wavell, 30 October 1944, *Governor's Fortnightly Reports* (herein after *GFR*), L/P & J/5 /151, 64, in India Office Library and Records, London

7. Originally he was from Bihar He was a member of the Working Committee of the Bengal Provincial Muslim League from 1943 to 1947, and a member of the Council of the All India Muslim League during 1939-1947.

8 Raghib Ahsan, *Hussain Shaheed Suhrawardy*, 7-8

9 Casey to Lord Wavell, 11 September 1944, *GFR*, L/P & J/5/151, 117-20 also Casey's *Personal Diary*, photo Eur 48/2, 58

10 See Akram Khan's *The Construction of the State of Eastern Pakistan* as enclosed in Akram Khan to Jinnah, 24 August 1944, *Quaid-i-Azam Papers*, F 337, 4-22, in NAP

11. See the booklet as enclosed in *GFR*, L/P & J/5/151, 72-86 It was published by Mujibur Rahman Khan, the convener of the East Pakistan Renaissance Society

12 Emphasis provided through italicization

13 See *Eastern Pakistan*, 8

14 *Ibid.*, 9

15 *Ibid.*, 23

16 For details, see Harun-or-Rahid, *The Foreshadowing of Bangladesh · Bengal Muslim League and Muslim Politics 1936-1947*, (Dhaka 1987), 249-55

17 Abul Hashim, *In Retrospection*, (Dhaka 1974), 23.

18 Quoted in *Star of India*, 17 September 1946, 3, also *Millat*, 20 September 1946, 7

19 Quoted in *The Statesman, 28 April 1947. 1; Star of India*, 28 April 1947 2. also Amalendu De, *Independent Bengal The Design and Its Fate* (Bengali), (Calcutta 1975), 9

J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No. 1, June 1994

NAWAB ABDUL LATIF'S CONTRIBUTION TO THE EDUCATION OF THE MUSLIMS OF BENGAL

M SHAFIQUL ALAM*

Nawab Abdul Latif (1828-1893) is undoubtedly the foremost among the Muslim personalities who dedicated themselves to the cause of Muslim education in Bengal. He belonged to the unique honour of being the pioneer of English education among the Muslims of Bengal. He was one of the first in the Muslim society in Bengal to recognize the mistake that his co-religionists were keeping themselves aloof from the spread of education He devoted his time and energy to the great task of awakening them.[1]

Abdul Latif realized that British rule in India was too powerful to be overthrown and too useful to be ignored. He keenly felt that the Muslims who wanted to progress under that rule must align themselves with it. He actively endeavoured to bring to his co-religionists the advantages which could be derived from associating with British culture and the British economic and political regime.[2]

In the mid-nineteenth century Abdul Latif emerged as the spokesman of the Bengali Muslims. When the question of the reorganization of the Calcutta Madrassa was discussed in 1853, Abdul Latif clearly emphasized 'the necessity and importance of educating the Mohammedans in both English and Persian'. In the beginning of 1860s, the Bengali Muslims came forward to take the advantage of English education. They were, of course, very much desirous of keeping their existence intact. Abdul Latif was a practical man who saw the advantages of British rule He actively collaborated with the new rulers and enthusiastically supported the cause of English education.[3]

Just at that time Rev James Long came forward with a programme to remove the distress of the Muslims. It may be mentioned here that even before Hunter, Rev. Long had prepared detailed notes on the social condition of the Bengali Muslims, mainly depending on his personal experiences. Collecting innumerable data for the period from 1852 to

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1870 Rev. Long pointed out the necessity of removing the socio-economic ills of the Muslims He wrote that this was essential for restoring law and order as well as strengthening the British rule in this country. He repeatedly harped on this in his various articles and thereby roused interests about it among the respectable Muslims [4]

Both Rev. Long and Abdul Latif were known to each other and both of them were seriously concerned with the stabilization of the British rule as well as the upliftment of the Muslim community from the prevailing state of backwardness. Abdul Latif played a prominent role to regenerate the Muslims of Bengal He developed among the Muslims a spirit of exclusiveness. He made a detailed survey on the Muslim education in Bengal.[5] Abdul Latif wrote a paper entitled 'A Minute on the Hoogly Madrassa' (Calcutta, December 26, 1861), in which he gave a detailed account of his ideas on the Muslim education. He wrote that the Muslim society was mainly divided into two classes . 'learned class' and 'worldly class'. The learned Muslims were known for their love of learning, and they were proficient in sacred scriptures of Islam They never bothered about their daily bread and did not hesitate to take the trouble of going to a distant place to study their favourite Arabic Indeed, they literally followed the precept of Prophet Mohammad, 'pursue knowledge even to China'. Generally, they were poor. But they were 'very much respected in the society, and wealthy members of the worldly class take pride in forming connections with them'. It was purely for the benefit of this class that private endowments were founded by the rich Muslims. This class supplied priests to the Muslim community and exercised great influence upon them Thus, education on traditional lines was carried on.

The introduction of western education could not produce any change in the minds of the Muslims So many of them had 'neither the means nor the inclination or motive for studying English' Discussing it, Abdul Latif suggested that 'unless some educational provision from the funds of Hajee Mohammad Mohsin be made for this class, the object of the endower will be disregarded, the Mohammedan community dissatisfied, and the honour of Government compromised' On the other hand, the members of the second class was not at all eager to acquire Arabic education They were quite content if they could learn Persian sufficiently well for transacting their business and freely moving in

their own social circles. Numerically they were superior to the first class, and they had enough wealth and property The nobility and merchants belonged to this class Abdul Latif felt that the worldly class would realize the benefits of English education. He, therefore, suggested that an exclusively Arabic institution should be established or retained on traditional lines for the benefits of the learned class, who were unwilling to acquire English education ; and an Anglo-Persian School should be established for the worldly class.[6]

The establishment of the Anglo-Persian department at Calcutta Madrassa was an achievement of Abdul Latif This department was created to enable Muslim children to receive the much-needed English education Abdul Latif put emphasis on the distinctiveness of the Muslim community. He wanted to elevate the Anglo-Persian department of the Calcutta Madrassa to a college for the Muslims Like a rational utilitarian thinker he felt that the Muslims should learn English and accept the benefits of European civilization.[7]

Abdul Latif worked for the creation of the Presidency College at Calcutta mainly with a view to providing an institution for imparting higher standard of English education to the Muslims that the Anglo-Persian department of Calcutta Madrassa could offer He apprehended that the Muslims would not send their wards to Hoogly or Presidency College because of the domination of the ideas of the young Bengal in these institutions. Abdul Latif said, "The Mohammedan student in the Presidency College, it will be confessed, is at an immense disadvantage, compared to his Hindu fellow candidates, in keeping up and improving his knowledge of the Arabic, which to him what the Sanskrit is to them" [8] Abdul Latif recommended Bengali free from the influence of 'Sanskritism of learned Hindus' for the lower class and Urdu for the upper and middle classes among Muslims.

It is evident that the Speech[9] made by Abdul Latif on the occasion of the laying of foundation stone of the new Presidency College building (27th February 1873) will give some idea of the humble part he had taken in the measure. Abdul Latif also played active part in the reorganization of the Arabic department of the Madrassas at Calcutta and Hooghly and in the establishment of a Boarding House for each of the institutions. Further, the foundation of Dhaka, Chittagong and Rajshahi Madrassas

were mostly due to Abdul Latif's unceasing exertions in inducing the government to administer rightly the princely endowment of Hajee Mohammad Mohsin

It is to be noted that Abdul Latif belonged to a new class of urban elite and was thus the product of British Raj He advocated the cause of English education believing that it would have nothing to do with the contemporary thought without acquiring knowledge in English. Sir Ashley Eden when conferring upon Abdul Latif the title of 'Khan Bahadur' said, "You have done much to promote the interest of your co-religionists, and it is to you that it is mainly due to that they are now adopting the study of Western literature and fitting themselves to compete with the youngmen of other classes as candidate for the public service".[10]

Abdul Latif was in favour of English, Arabic and Persian education for the Muslims of Bengal. He urged upon the Government to 'devise such means whereby Mohammedans may be taught at once English, Arabic and Persian'. He believed that unless a Muslim acquired proficiency in English, Arabic and Persian he would not occupy a respectable position in the society ; if a Muslim received English education only at the cost of Arabic and Persian, he would not be able to confer the benefits of that education to the members of his community and persuaded them to appreciate the benefits of the British rule and of greatness of the British power in India. This purpose would rightly be served if he knew Arabic and Persian along with English.

It is significant to note that Abdul Latif characterized the Calcutta Madrassa as the main fountain of Muslim consciousness where their law, which was the bedrock of Mohammedan society, now found its reliable interpretation. He upheld this type of education to infuse more cohesion and unity to the body politic of the Muslim community as a whole. He was glad to observe that the Calcutta Madrassa 'soon acquired a strong and effective hold on the affections of all the Mohammedan population'. Abdul Latif claimed that of all the educational institutions established by the British government the Madrassa is the only one that has so entwined itself into the everyday regard of the people for whom it was founded' He also stated that the Calcutta Madrassa was more successful than the Hindu college and the Medical college To the vast

mass of the Hindu population, these two institutions 'barely exist in name and significance, whereas the Calcutta Madrassa 'has come to be looked upon by all orders of Mohammedans as peculiarly their own national place of education, and it has given them what they wanted it' [11]

For the purpose of bringing Muslims into the mainstream of English education, Abdul Latif contributed two learned papers on the subject of Muslim eduction. The first one was 'A Minute on the Hooghly Madrassa' written in 1861 at the request of Sir J. P Grant, the then Lt. Governor of Bengal, and published from Calcutta in 1877 which has already been mentioned and the second one entitled 'A paper on the Mohammedan Education in Bengal' was presented at a meeting of the Bengal Social Science Association held at the Town Hall of Calcutta on January 30, 1868. Both the papers presented a vivid picture of the state of Mohammedan education in Bengal and contained numerous suggestions and plans for removing the Muslim grievances [12]

In the first pamphlet, Abdul Latif had attributed one of the causes of the non-attendance of Mohammedan pupils to the discontinuance of free board and lodging to poor students as provided for by the original trustees of the Mohsin Fund It was at his suggestion that the system of allowing free board and lodging to the poor Muslims was adopted. Consequently a house adjacent to the Hooghly College was purchased for the purpose and a number of boys coming from distant homes were admitted as free boarders. The success which Abdul Latif achieved in his endeavour was acclaimed by F. B. Bradley-Birt as he stated that the 'Mohammedan community owes a debt of gratitude to Nawab Abdul Latif Khan Bahadur which behoves it never to forget' [13]

A comparative study has always been sought to be made between Sir Syed Ahmad Khan and Nawab Abdul Latif in respect of their schemes for Mohammedan education It started publicly even during their lifetime when, on 26 October, 1863 the *Hindu Patriot* devoted a leading article entitled 'Two Mohammedans on Mohammedan Education', which discussed the merits of their educational schemes for the community. It is well known that the Anglo-Oriental College of Aligarh, which later on grew into a formidable institution called Aligarh Muslim University, was founded by Sir Syed Ahmad Sir Surendranath Banerjee described the University as a monument of Sir Syed's genius and perseverence but

observed that before Syed Ahmad was on the field, Abdul Latif had been there exhorting, supplicating, entreating earnestly his co-religionists to give their sons on English education, if they wanted to hold their own in competition with the Hindus [14]

Sir Syed believed that the aversion of the Muslim aristocracy to the new system of education was due to the fact that during the reign of the Caliphs of Bagdad the Greek sciences of logic, philosophy, astronomy and geography were translated into Arabic and these were accepted by the whole Mohammedan world without hesitation and with slight modifications and alterations They gradually found their way into the religious books of the Mohammedans. Later these sciences were widely viewed as being derived in principle from Greek dogmas, and the Mohammedans believed that it was at variance with the tenets of Islam [15]

Syed Ahmad's educational programme, which was aimed at changing the intellectual, political and economic destiny of the Muslims of India had its humble beginning in the critical year of 1859 From that date onwards the inescapable emphasis on the use of English as the medium of instruction was one of the main planks of his programme In 1864 he founded a scientific society for the introduction of Western sciences primarily among Muslims. In 1868 he promoted the formation of educational committees in several districts of northern India. In 1886 Syed Ahmad founded the Mohammedan Anglo-Oriental Conference for the general promotion of Western education of Muslim-India [16] Nawab Abdul Latif was in mutual collaboration with Syed Ahmad in this endeavour. In 1863 Syed Ahmad delivered a lecture on the necessity of learning English language and modern philosophy, arts and sciences at a meeting of the Mohammedan Literary Society On the other hand, Abdul Latif was appointed one of the members of the Directive Council of the Scientific Society Establishing this society Syed Ahmad then founded a Persian School for historical research at Murshidabad and a high school at Gazipur with provision for English courses The main objective of Syed Ahmad's education programme was to give training to the Muslim students in modern scientific education with an Islamic orientation in their lives and thoughts. Abdul Latif was in view of changing Muslim society towards the modern education [17]

The endeavours of Nawab Abdul Latif blazed a new trail of sustained search on the part of his intellectual successors, the most prominent of whom was Syed Ameer Ali (1849-1928), to find a lasting solution to the century-old vexed question of Muslim education When the Presidency College of Calcutta, in the creation of which the Nawab had played a vital role, failed to fulfil the requirements of higher learning of the Muslim boys, a need was felt and a demand made in the early years of the present century for the opening of a separate degree college exclusively for the Muslim students The desire that had occupied the minds of the Muslim community for half a century was at last realized with the inauguration of the Islamia College at Calcutta on 9 December, 1926 by Lord Lytton, who, in an emotionally charged speech on the occasion, remarked : 'As upon the stone which my father laid fifty years ago at Aligarh there has since sprung up a great Muslim University, upon the foundation of this Islamia College may there rise a new centre of Islamic learning and culture which fifty years hence will be producing eminent scholars, scientists and statesmen, destined to bring credit to Bengal, India and to the faith by which they have been inspired'. Thus within a span of three decades since Abdul Latif's death a nucleus of another Aligarh came into being in Calcutta in the shape of Islamia College [18]

Syed Ameer Ali promoted the cause of education among the Muslims and agitated for a share for the Muslims in the Government services. Ameer Ali established the Central National Mohammedan Association in 1877 at Calcutta to promote welfare of the Muslims by 'all legitimate and constitutional means'. In 1882 Ameer Ali in a paper entitled 'A Cry from the Indian Mohammedans' traced decadence of the Muslim community. He was rational as he viewed the Muslim regeneration through English education. It has been claimed by some persons that the Muslims of Bengal were in no way profited by the learning and educational programme of Ameer Ali. He had no direct contact with the common people and their problems. The Central National Mohammedan Association acted for the welfare of the selected few and not for the commoners [19]

Syed Ameer Ali and Nawab Abdul Latif virtually professed to represent the Muslim community on an extremely narrow social base and were often 'leaders ex-officio' rather than being leaders by virtue of any popular support or mandate. However, they both were most promi-

nent. The basic difference between the two was : whereas Abdul Latif belonged to the traditional school, Ameer Ali belonged to the new ones. S. C. Blunt[20] expressed his preference for Latif to Ali and considered the latter highly ambitious and self-seeking. In his words : "I like this man [Abdul Latif] much more. He is the sort I like far better than Ameer Ali and Syed Huseyn, and yet I fear the others are more likely to succeed. They represent the future, he the past" [21]

Abdul Latif recommended the establishment of a large number of separate schools for the lower class Muslims—with separate Islamized language as medium of instruction, Muslim teachers, and a set of exclusive textbooks. Ameer Ali, himself a London-trained barrister, was equally opposed to any system of mixed schools and suggested that Maktabs and Petty Madrassas attached to the mosques should be utilized for the purpose of segregated education.[22]

Abdul Latif understood the peculiar problems with which Muslim society confronted. For the purpose of the regeneration of the Muslim community and to give them proper training and education he established the Mohammedan Literary Society in 1863, which was the first Muslim organization in Calcutta. The society included Muslim noblemen and gentlemen of various ranks and professions from many of the provinces of India The Literary Society was the oldest organization in the country after the British Indian Association It was established for the purpose of ventilating orthodox views of Muslims throughout the country. The association promoted Muslim regeneration to share the benefits of education and the means of general progress opened up by the British rule. The declared purpose of the Society was guided by the principle of self-preservation [23] The object of the Society was to impart useful information to the higher and educated classes of the Mohammedan community by means of lectures, addresses and discourses on various subjects in literature and science which were delivered at the monthly meetings in Urdu, Persian, Arabic and English languages.

Pertaining to the crucial Muslim question as to whether British India was a *Darul Islam* or a *Darul Harb*, the *Fatwah*[24] delivered by Mawlana Karamat Ali Jounpore at a meeting organized by the Literary Society, had an immense impact upon the Muslims for their regenera-

tion. Abdul Latif solicited the co-operation of Karamat Ali Holding modern outlooks the latter urged upon the Muslims to learn European languages and scientific developments. His influence on the Bengali Muslims was of great importance Abdul Latif was opposing the Wahabi agitation.[25] His earnest desire was to see the Muslims of Bengal as an English educated class. He represented the views of the negligible section in the Muslim community. His advocacy of English education and friendliness towards the British Raj helped create a new upper and middle class among Muslims in the urban society who maintained both social and political exclusiveness .

In all public movements and proceedings, Abdul Latif represented the Mohammedan community in the metropolis He found his co-religionists backward in modern education and devoted to remove their problems. To encourage English education among the Muslims, Abdul Latif declared a prize for the best essay on 'How far would the inculcation of European sciences through the medium of English language benefit Mohammedan students in the present circumstances of India, and what are the most practicable means for imparting such instruction ?' He also collected donations and pooled a portion of the proceeds of the Mohsin Endowment Fund by means of which two-thirds of their fees could be covered As a matter of fact, by dint of his undaunted and life-long endeavour, Abdul Latif raised the Muhammedan Literary Society into a powerful forum for the social, cultural and intellectual progress of the Muslim community.[26]

It is important to note that before the first half of the nineteenth century there was hardly any influence of the European thought on the Muslim society Afterwards Bengal society was gradually exposed to English education. Promotion of English education and that of Arabic and Persian for the Muslims on the one hand and of Sanskrit for the Hindus on the other, was important matter in the early nineteenth century. For this purpose Madrassa and Sanskrit College were established in Calcutta [27]

Regarding Education in Bengal a citation from Adam's Report on Vernacular Education may be made. Adam in his report states that :

(i) "Arabic with Mohammedans and Sanskrit with Hindus will hold the place which the classical languages of Greece and Rome hold towards ourselves"

(ii) "English will give the opportunity for comparing their own language, literature and science with our own, and its tuition will thus be rendered a really invigorating exercise for already prepared minds, not a mere word teaching"[28]

However, Abdul Latif was working for the Muslims of Bengal untiringly. He called upon the Muslims to come forward for acquiring English education and scientific knowledge of the west as early as 1853. The Muslims in general were not ready to accept English education until the Sepoy Mutiny took place in 1857-58. As a result of failure of the Mutiny Abdul Latif was successfully able to bring home a section of the Muslim elite that they had left no alternative except adopting the policy of loyalty towards the British Raj. He suggested them to acquire modern education through the medium of English as well as to effect necessary social, political and cultural adjustments to a new situation.[29]

Through the Mohammedan Literary Society Abdul Latif brought about a certain degree of consciousness towards modern Western education and ideals among the Muslim aristocracy and to some extent among the other classes Within four years of its foundation, the Literary Society could count on five hundred members and used to meet at its founders residence on monthly basis to discuss the importance of history, knowledge of civilization. discovery of America, development of commerce and management, fundamental law of Islam and various other subjects. The transactions used to take place in Urdu, English, sometimes in Persian and Arabic , only after 1880 Bengali was seldom used but no publications were made in this language.[30]

Literary Society represented essentially the older Calcutta elite of which Abdul Latif himself was an embodiment. For example, out of a total of twenty-three members on its committee of management seven including the president and two vice-presidents were members of the old Royal houses of Mysore and Oudh then resident in Calcutta The Literary Society was, however, not strictly a political body ; its declared purpose were primarily social and educational upliftment of the Muslim community, While it functioned as an aristocratic club, its composition

turned it into a powerful political lobby for an interest group. The government saw it as such and consulted it quite regularly on matters affecting the Muslim community [31]

As acted for the amelioration of the Muslims of Bengal on independent capacity, Abdul Latif is generally regarded as the father of Muslim modernism in Bengal.[32] It is important to note that it was a difficult task in the nineteenth century Bengal to mould the opinion of the Muslim community to adapt to English education But Abdul Latif could succeed in this great task because the conditions prevailing in the post-mutiny period were favourable to Muslim co-operation with the British rulers in India [33] In recognition of his services to the cause of English education Nawab Abdul Latif was awarded medal and set of books (The Encyclopaedia Britanica) by the Lt Governor of Bengal [35]

It is a fact that Abdul Latif truly devoted himself to the promotion of education among his Mohammedan fellow subjects. In criticism one may argue that Abdul Latif advocated English education for his co-religionists without considering the importance of Bengali being the mother tongue of the bulk of the population. Similarly, it can be said that he favoured English education merely for the material benefit of the Muslims to acquire the Western liberal thought which had been already galvanizing in the minds of a section of educated Hindus However, Abdul Latif himself confessed that he had spent the most valuable time of his life for the cause of his countrymen, especially to impart English education to the Muslim society

Abdul Latif rightly understood that the progress of the Muslims would be impossible unless they were being educated in English It is essential to keep in mind the miserable conditions of the nineteenth century Muslim society. In all respects, the Muslims of Bengal were in a backward condition. Abdul Latif came forward with courage to rescue them from such an appalling condition He took initiative to generate English education to the Muslims and was able to acquaint them with the system of liberal democracy, parliament autonomy, western ideology, administration etc Abdul Latif thus, may be regarded as the utilitarian precursor of Muslim education in Bengal

Surendranath Banarjee observed that to Nawab Abdul Latif belonged the unique honour of being pioneer of English education among the

Muslims of Bengal. Likewise, Ashutosh Mukherjee regarded him as one of the greatest benefactors of the Muslim community in Bengal who had done more than anyone else for the promotion of western and eastern learning among his co-religionists. Sir Ashutosh also regarded him as a truly patriotic person who deserved the gratitude of generations to come.[35]

Thus Nawab Abdul Latif Khan Bahadur was the pioneer of Muslim renaissance in Bengal, if not in India, much in the same way as Raja Rammohan Roy was for the Hindus. The value of Abdul Latif's thrust towards western knowledge instead of traditional education can then be judged in terms of synthesis with the requirement of the times he tried to promote — without loss of identity

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Before the Presidency College was established, the Hindoo community of Calcutta had their own college (he meant the Hindoo College) for a high English education , the Christian Community of Calcutta had also their College for a higher education , but the Mohammedans of Calcutta had none co-religionists would come forward hereafter in much large number to avail themselves of the advantages which had been

placed by the Government at their disposal and that the days were not far when Mohammedans would take that place in the civilization [sic] world which they ought to take, and which he was sorry to find they had not yet taken He was most earnestly looking forward for that day, and he hoped to live to see his greatest wishes on that point realized " Mohar Ali (ed), *Nawab Abdul Latif Khan Bahadur · Autobiography and Other Writings*, (Chittagong 1968), 24. Also *The Indian Daily News*, Calcutta 1st March, 1873

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J. Asiat. Soc Bangladesh, Hum. Vol. 39, No. 1, June 1994

ASPECTS OF SANSKRIT LITERARY CRITICISM

DHIRENDRA NATH TARAFDAR*

India has a long tradition of literary criticism. The attempt to define *Kāvya* (poetry) started from the time of Bharata and continued till today. In this long journey of literary criticism several rhetoricians have come forward with their novel theories Their contributions are invaluable not only in the context of Indian literary criticism but also in the context of literary criticism in general. Sanskrit literary criticism has played its role of understanding new directions of intellect and giving them a composed, graphic and classical expression. The ancient rhetoricians like Bharata, Dandin and others are the pioneers of this way of thinking. As R. C. Dwivedi rightly observes, "It (Sanskrit literary criticism) could achieve this magnificent result by honouring the sentiments of the linguistic temper of the people. Like Dandin Ānandavardhana, Mammata and Rūpagosvāmin of the past, the modern scholars of sanskrit criticism, owe a responsibility to this sensible tradition and thus bring under their analytical ken the literature of contemporary India."[1] We have already accepted the eight schools of Indian literary criticism.

Criticism is the judgement of a literary work, it causes certain experience, has a certain effect on the mind of connoisseurs and that this experience is due to special peculiar features of the literary piece. From the critic's point of view the literary principles mean the essential elements which determine a result and from the point of view of the creator of a literary composition the literary principles are the laws which have to be followed in producing a work of art. K. C Pandey mentioned in his presidential address in the U C.C seminar that "principles of literary criticism mean the essential elements, present in a literary piece, which form the basis of judgement that a critic pronounces, whether it is good or bad, according as they produce a certain effect on his mind, i e. cause a certain experience in him "[2]

A critic is one who can evaluate a poetic expression with a concrete judgement and who can feel that. The main function of criticism, as

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Mathew Arnold said, is "to see the object itself as it really is "[3] There are two aspects of critic's function : first to make clear to his reader the matter of a composition, and the attitude of the author to it ; second to give the reader clearly and unequivocally, the value of that theme, and the writers treatment of it. S.H Burton, a western critic, states the following points for guidance of the critic in making his final judgement of a poet or a poem .

1. "Having striven for objectivity in earlier stages of his enquiry, the critic is entitled to express a personal judgement of the work with which he is dealing
2. The personal judgement should be based on the detailed investigations already carried out, and these should be constantly referred to in arriving at the final statement
3 Aesthetic consideration, not political, or personal prejudices, should be paramount
4. The final judgement should be vigorous, clear and individual
5. The standards by which the critic is judging should be clear for the guidance of his readers Mere praise or blame is insufficient ; reasons should be given "[4]

Literary criticism is an objective and analytical approach to poetry The literary criticism is based on certain principles which have been discovered through close analytical study of literary works K C. Pandey has listed seven principles in his article which the analytical approach to poetry has revealed [5] They are—(i) The characteristics *(Laksānā)*, (ii) Embelishment *(Alamkāra)*, (iii) Quality *(Guna)*, (iv) Defect or blemish *(Dosa)*, (v) Style *(Riti)*, (vi) Suggestion *(Dhvani)*, and (vii) Aesthetic configuration or sentiment *(Rasa)*.

The characteristic features of these principles are as follows

(i) CHARACTERISTICS *(LAKSANA)* :

Though normally it is said that Bharata is the propounder of the school of *Rasa*, still other features of literary criticism have also been discussed by him in his treatise If we look into his N Ś we do find the treatment of 'Laksana' in it. The idea of the characteristic marks of poetry first arose in the mind of Bharata According to him the characteristics *(Laksana)* are quite distinct from the embelishments (Alamkāras) or figures of speech He mentions thirty six[6] *Laksanas* (characteristics) which are adornments of a poetic composition and

connected with the emotional content of poetry After Bharata the doctrine of *Laksana* is discussed only by a very few writers. Abhinavagupta thinks that the *Laksana* is the body of the poetry (Kāvyasarīra) which is quite different from embelishment (Alamkāra).[7] In his N. Ś. Bharata defines each kind of *Laksana*.[8] In later time Bhoja mentions sixty four *Laksana* in his *Ir. P.* and gives definition for all the *Laksana* with examples [9] Sāradātanaya follows Bhoja. V Raghavan observes in 'The history of *Laksana*, "coming to the literature on the subject of *Laksana*, besides Abhinavagupta's commentary on his portion of the *Nātyasāstra*, which deals elaborately with *Laksana* the earlier commentaries of Udbhata, Lollata and Śankuka must have dealt with the concept of *Laksana*. Bhattanāyaka's Hrdayadarpana also probably dealt with it "[10] All of these characteristics are the important elements of poetry which are very much applicable to the literary criticism

(ii) EMBELLISHMENTS *(ALAMKĀRA)* :

Embelishments like Metaphor, alliteration, simile, etc. are another important elements in poetic composition. And these embelishments have been defined by the Indian rhetoricians in their treatises. Bharata accepts only four *Alamkāras*, but Bhāmaha introduces fourty-three *Alamkāras* in his K A. In course of time the number of *Alamkārsa* has been raised upto one hundred thirty-three [11] But the number of *Alamkāras* is not a matter of discussion in our consideration Really speaking, we would like to say that the *Alamkāra* (embelishment) is one of the important factors in literary work According to Bhāmaha *Alamkāra* means "that which gives sufficiency to a composition to be classed as poetry" He says, *"Rupakadimalamkara bānyamācaksate pare supām tingām ca vyutpattim vācām vāñchantyankrtim"* [12] He takes the word *Alamkāra* in the sense of "that which gives sufficiency". He identified characteristics *(laksanas)* with embelishment (alamkāra) and asserted the general characteristic of all types of poetic composition to be a turn or twist *(vakratva)* which is the essential characteristic of all *alamkāras* Without this *vakratā* no poetic expression would become charming. And the rhetoricians of India have taken this element as an essential factor and have discussed it thoroughly in their treatises According to K. Krishnamurty, "... the principle of *alamkāra* deserves to be approximated to the modern idea of 'imagery' in poetry."

"Whether imagery is an integral part of poetry or an external adjunct, an added ornament which poetry may well do without, is a recurring question in the history of literary criticism, western as well as Indian."[13]

(iii) QUALITY (*GUNA*) :

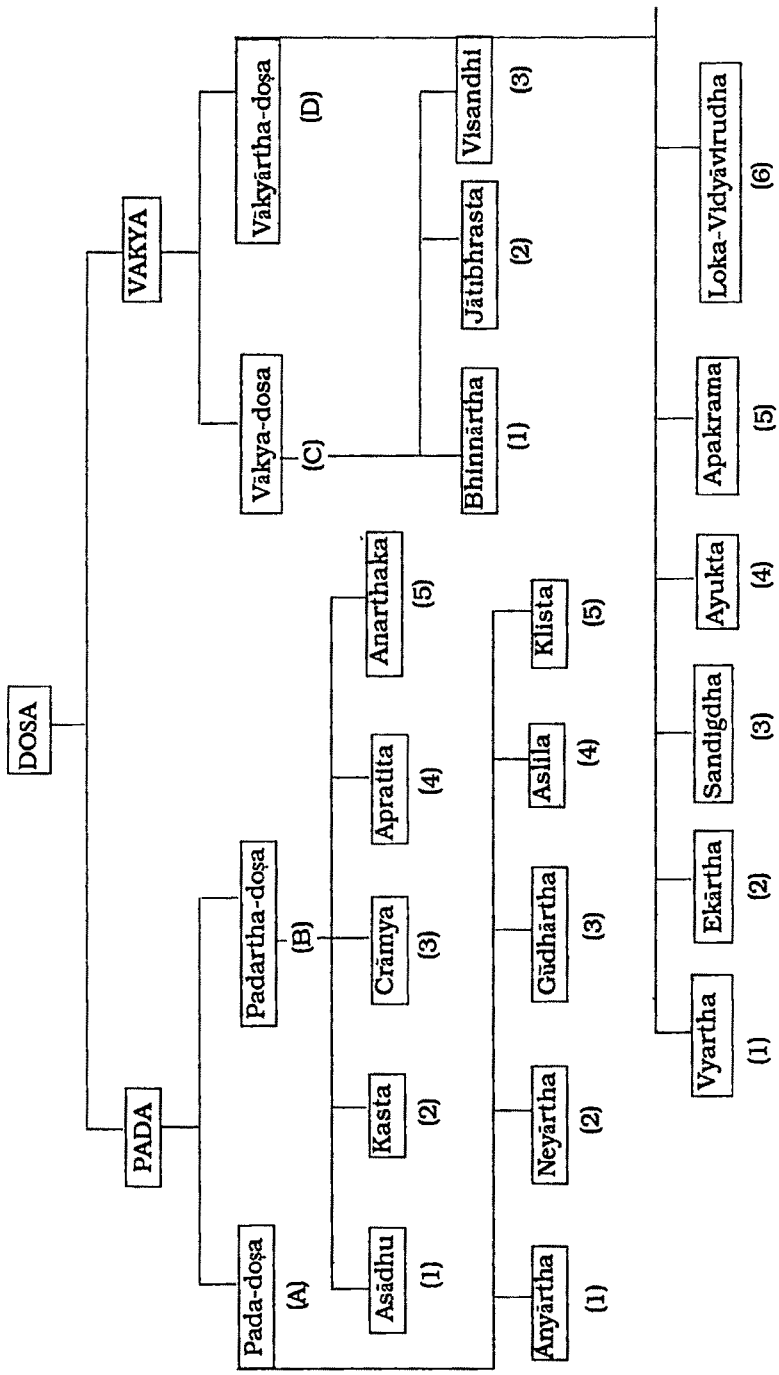
Quality or Excellence *(Guna)* is one of the important factors in the literary criticism Words and meaning constitute the body of poetry *(Kāvya-sárīra). "Śabdārthau sahitau kāvyam"*[14], Bhamaha said Quality or poetic excellence (*Guna*) is the natural beauty by which the poetry would become charming without the external beauty like *alamkāra.* If the quality is there then *alamkāras* are not that much essential, because *alamkāras* are only for the external adornment of the body So quality or *Guna* is that element which is indispensable in poetry.[15] Vāmana takes the *Guna* as the essential element for his definition of *Rīti* (style) which is the soul of poetry According to him *Cuna* is the soul of style *(Rīti)* [16]

(iv) DEFECT OR BLEMISH (*DOSA*) :

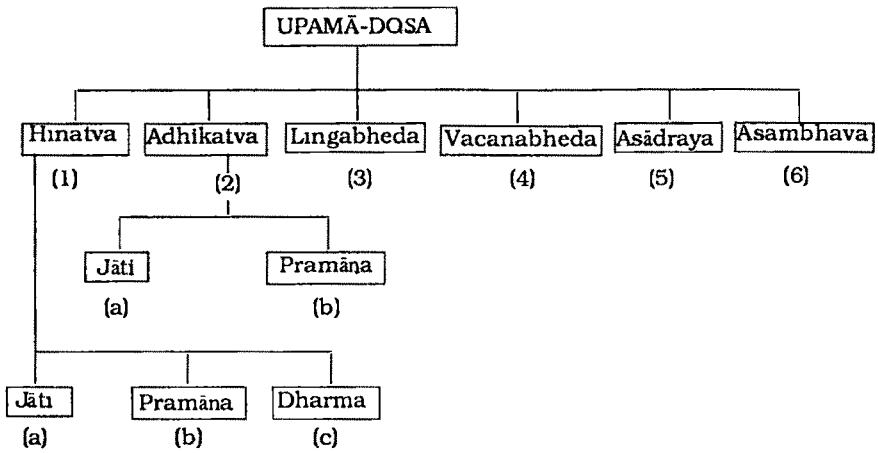
Defect or poetic blemish *(Doṣa)* is that element which diminishes the excellence, attractiveness or value of a poetic art. Bharata has taken a note that the defect or poetic blemish is to be avoided in the dramatic performance by the dramatists. According to him defects i e. *Dosas* are ten in number[17], such as (1) *Gūdhārtha* (circumlocution), (2) *Arthāntara* (superfluous expression), (3) *Arthahina* (want of significance), (4) *Bhinnārtha* (defective significance), (5) *Ekārtha* (tautology), (6) *Abhiplutārtha* (want of synthesis), (7) *Nyāyādapeta* (logical lapse), (8) *Visama* (unevenness metrical defect), (9) *Visandhi* (hiatus), and (10) *Śabdacyuta* (grammatical impurity). He defines all the blemishes *(dosas)* in his N Ś.[18], but he does not give any definition of *dosa* The successors of Bharata just follow him in the treatment of *dosa*

According to Vāmana : "defects are the opposite of poetic excellences" (*Guna viparyyayātmāno dosāh."* K A. S. 2. 1. 1) He explains his *dosas* in his treatise elaborately with examples.[19]

Vāmana for the first time divides the blemishes *(dosas)* into four categories—namely, A. *Pada-dosa*, B. *Padārtha-dosa*, C. *Vākyā-dosa* and D. *Vākyārtha-dosa.* Again he divides those categories of *dosas* which has been shown in the following scheme :


DOSA
PADA
VAKYA
Pada-doṣa
(A)
Padartha-doṣa
(B)
Vakya-dosa
(C)
Vakyārtha-doṣa
(D)
Asādhu
(1)
Kasta
(2)
Krāmya
(3)
Apratīta
(4)
Anarthaka
(5)
Anyārtha
(1)
Neyartha
(2)
Gūdhārtha
(3)
Aslīla
(4)
Klista
(5)
Bhinnārtha
(1)
Jātibhrasta
(2)
Visandhi
(3)
Vyartha
(1)
Ekārtha
(2)
Sandigdha
(3)
Ayukta
(4)
Apakrama
(5)
Loka-Vidyāvirudha
(6)

Vāmana again considers dosa as in the use of *Upamā* (simile) which is called *Upamā-dosa*. He clarifies the matter in his *K. A. S*[20] The *Upāma-dosas* are divided into six varieties which are again divided into some sub-classes. The classification of *Upamā-dosas* are as follows .



All varieties of *dosas* have been discussed by Vāmana with their appropriate examples in his treatise.

Bhāmaha's treatment of dosa is quite different from that of Bharata He does not accept the names and number of dosas of Bharata Instead of that he puts some other names of dosas [21] He says that defects are not always defects, in certain condition or under special circumstances they enhance the poetic effect also For instance, as he says, "Ekārtha (redundance) under the influence of fear, sorrow, and also of delight and wonder will heighten poetic effect "[22] All his successors agreed with him on this point

Due to the presence of any of the defects in poetic expression is responsible for the failure of the poet to give aesthetic enjoyment to the mind of connoisseur So, authors should avoid the defects *(dosas)* in their expressions. For this reason the defects of poetic blemishes *(dosas)* should be identified and need discussion which have been discussed thoroughly in Indian literary criticism Bechan Jha, a modern scholar, says, "It may not be far from accurate to claim that the contribution of Sanskrit writers on poetics to the assessment of literary defects is possessed of perennial value, not only for the study of Sanskrit poetry but also perhaps of world Literature".[23]

(v) STYLE *(RĪTI)* :

Style or *Riti* is the important principle in literary criticism which is defined as the particular arrangement of words according to their sound and meaning. So as to present the idea of the poet effectively in harmony with the central theme something like arranging different parts of the human body in a picture. Vāmana says . *"Etāsu tisrsu ritisu rekhasu iva citram kāvyam pratisthitamiti"* [24] Here Vāmana wants to clear the utility of the style by this metaphor. He would like to say that the lines are indispensable to paint a picture. The canvas, colour, etc. are not sufficient to paint a picture if the lines are not manifested on the canvas The picture would become manifest with the help of the drawing of some lines. Similarly, without the styles (according to Vāmana, styles are three in number) the poetry will not become manifest, because styles are the soul of poetry as the lines for painting

(vi) SUGGESTION *(DHVANI)* :

Suggestion is an epoch-making theory in literary criticism due to its brilliant expression and intelligent analysis of suggestive potentiality of language by Ānandavardhana and also by Abhinavagupta, the commentator of *Dhvanyāloka.* After the commentary of Abhinavagupta the suggestion *(Dhvani)* holds an important place in Indian literary criticism. The successors of Anandavardhana take a keen interest to discuss the *Dhvani* theory in their treatises

According to Anandavardhana suggestion, i.e. the suggested meaning is called *Dhvani.* When the denotative meaning and indicated meaning fail to give clear-cut sense in a poetic expression at that moment a third type of *imagination* helps grasp the meaning which is called *Dhvani* i.e. *Vyanjanā* (suggestion) There is no restriction to grasp the meaning in the suggested sense It can be extended at any length and any idea according to the thought of connoisseurs *(Sahrdayas)*

The principle of *Dhvani* has been well-discussed in Indian literary criticism as an important factor of poetic expression

(vii) AESTHETIC CONFIGURATION *(RASA)* :

Aesthetic configuration or sentiment *(Rasa)* is the final goal of poetic expression which is the chief of all components in poetry. Writer creates the *Rasa* by using words according to his thought, and the connoi-

sseurs enjoy the *Rasa* and have aesthetic enjoyment through the creation of the author.

The aesthetic object is not a mere juxtaposition of these constituents. It is just like the constituents, such as, sweet, bitter, astrengent, sour, saltish, etc. of a juice that expert cook prepares by putting together in due proportion in water cooks them properly which can give a better taste to enjoy *Rasa*. Similarly, in a poetic expression, when the other components are used in due proportion then only the actual *Rasa* (sentiment or aesthetic configuration) would become manifest and it would be possible to have aesthetic enjoyment in the mind of connoisseur.

In Indian literary criticism *Rasa* is well-discussed by several rhetoricians Bharata treats the *Rasa* as the principal cause of poetry; and as we have mentioned that he is the propounder of the school of *Rasa*.

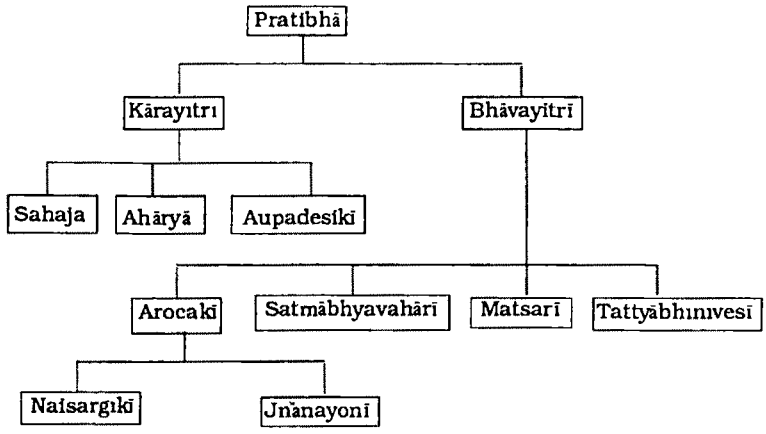
The successors of Bharata also have discussed *Rasa* theory in their treatises.

The other factors like *Auchitya* (appropriateness or propriety), *Anumiti* (inference), *Ramaniyatā* (Charmingness), etc. are also discussed in Indian literary criticism. Under this background one would like to read the following observation of K. Krishnamurty : "Criticism is a science inasmuch as it avoids the 'a priori' method and formulates the rules of *Auchitya* in poetry inductively. Since such a study, to be authoritative, demands on the part of the critic an intimate knowledge of something of everything, criticism is regarded as the sum of all learning : *'Samastih Sarvaśāstrānām Sāhityamiti giyate"*.

"It is no more a hunting ground for the crazy than poetry is the vocation of dreamers "[25] If we want to understand a poetic expression sometimes we may fail to grasp it. Then we go to the critics for explanation of that poetic piece. Though the approach of the critic may vary from the most general to the most particular but the overall picture would be the same. Because, "the most minute exploration of the personal circumstances, intellectual equipment and idiosyncrasies of a single writer, from the time to that which was the common experience of all men at the time to that which differentiated the one individual genius from all the rest."[26] The business of a critic as scholar is, as far as possible, to re-create the author's world which the author assumed or the meaning which he intends to mean. There is a gulf between the writer and the connoisseur. The duty of a critic is to bridge this gulf.

The earlier critics were all concerned with the formulation of general principles rather than with the study of what differentiated one author from the rest of his work. The literary study is not confined only in the author, his cultural or social background but also his quality of works. "The remedy which I. A. Richards suggests is to read the poem in, so to speak, a vacuum, ridding the mind of every preconceived idea as to its probable meaning or quality, forgetting, if you know it, even the name of its author, and concentrating simply and solely upon the words themselves, and then to read and re-read it until every word, every image, every change of metre or rhythm, has made its full impact,"[27] says S.M. Schreiber in this book In this sense the critics of India have spent their toil in criticism which is not only the property of Sanskrit literature in particular but also the property of literary criticism as a whole.

Another important point is worth noting. This is poetic intuition or imagination which is called *Pratibhā (genius).* In their consideration *Pratibhh* is the sine qua non not only for creation of poetry but also to grasp the intended meaning of the poet Rājaśekhara, an ancient rhetorician, has drawn a clear cut demarcation between these two types of *Pratibhā* in his K M According to him there are two types of *Pratibhā*, namely, (1) *Kārayitri-pratibhia* (creative genius)-which helps the author to create a piece of composition This creative faculty is indispensable for the author; (2) *Bhāvayitri-pratibhā* (discriminative genius), which helps the reader grasp the intended meaning of the author and to have aesthetic pleasure. He again divides and redivides these *Pratibhās* and explains them elaborately in his K M. The classification of *Pratibhā* made by him is as follows .



According to the difference of *Pratibha* writers and readers are also classified differently. Nevertheless, the other factors such as *Vyutpatti* (culture) and *Abhyāsa* (practice) are also indispensable for both Rajaśekhara says, "*Pratibhā* is, by which the words, meanings, embelishments and charming expressions become manifest in poetic composition." (*yāśabdagrāmamartha-sārthamalamkāratantramuktimārgamanyadapi tathāvidhamadhihrdayam pratibhhsayati - sā pratibhā*" — K. M. chapter. 4, p. 27).

According to him *pratibhā* and *vyutpatti* can create a good piece of poetry when both of them are involved in it He introduces *samādhi* as another required element for a creative composition According to him *samādhi* is the concentration of mind (Manasā ekāgratā samādhih", *ibid.*).

Mammata, on the other hand, says, *"Śaktih kavitvabijarupah samskāra-viśesah yām vinā kāvyam na prasaret prasrtam vā upahaha sanumsyat"* (-K. P., 1.3. *Vrtti*, p. 3) i.e poetic genius, which may be called the germ of poetry. This is a peculiar faculty, without which there could either be no poetical expression or, if these were, would be ridiculous." According to Bhattatauta, the poetic imagination or *Pratibhh* is the unique gift of mind by whose aid one can visualise myriad things anew In his language : *"Prajñā navana-vonmesaśālini pratibhā matā"*[28] Abhinavagupta says, *"Pratibhā apūrva vastu nirmānaksamh prajñā; tasyā'viśeso' rasāveś-avaisadyasaundaryamkāvyanirmānak) amatvam."*[29]

Another contribution of Indian rhetorician to the literary criticism is the concept of *'Sahrdays'* which can be paraphrased in English as 'connoisseur'. The rhetoricians use the term frequently in their treatises. Abhinavagupta, the writer of *Dhyanyālokalocana* (a commentary on *Dhvanyāloka*) gives a clearcut definition of the term *'sahrdaya'* in his *'Locana'* for the first time It runs as follows

> *"yesām kāvyānusilanābhyasavāśādviśadibhute*
> *manomukure varnanīyatanmayibhavanayogyatāte*
> *svahrdayasamvādabhājah sahrdayāh".*[30]

i.e. "He is the *'sahrdaya'*, whose heart has been made transparent (receptive) like a mirror by constant practising of poetry and who is therefore able to become immediately a person with the emotion of portrayed." Mallinatha gives a definition of *'Sahrdaya'* in ' *taralā-tikā'* of *'Ekāvali'* of Vidyādhara, which runs as follows

"Atha kāvyam vindate vicārayantiti vyutpattyā tu kāvyavidah kāvyapariksakāh sahrdayāh kathyante"[31]

It means—"The person with the knowledge of judgement of poetry, is the expert or perfect man in examining the poetic expression, is called *'sahrdaya'* by the people skilled in poetry." Here it is remarkable that a poet is basically a *'sahrdaya'*. At the creative mode he is a creator ; but when he reads his own expression at that moment he himself feels by his grasping power (i.e. *bhāvayitri-pratibhā)* not by his creative power (i.e. *Kārayitripratibhā)* A reader i e 'Sahrdaya' is also a creator. He re-creates the author's world all for himself On the other hand, the creation of the author is mainly intended for others though he too does incidentally share it with the readers. Nevertheless, his enjoyment is purely by the power of grasping Nageshabhatta says, "Kaveranu-bhavaścet sahrdayatvenaiva tu *kavitvena.*"[32] Butcher, a western critic, says, "... The pleasures of art are not for the artist but for those who enjoy what he creates; or if the artist shares at all the distinctive pleasures which belong to art, he does so not as an artist but as one of the public."[33]

The above discussion clearly exhibits the contribution of Indian thinkers to literary criticism. The contributions are with reference to the principles or criteria which are to be applied in order to evaluate a piece of composition While evolving these principles, the Indian thinkers took the entire situation into consideration. No theory can be sound if the components of poetry are judged in isolation. In a discourse-analysis, as the Indian rhetorians have done, three factors are directly involved— the speaker or the writer, the impression of the speaker which is an ancoded situation and the reader who decodes that expression. The effect of the decoding springs up as the aesthetic enjoyment

Abbreviations used in this Article

* K. A. = KĀVYĀLANKĀRA.

K A. S. = KĀVYĀLANKĀRA SŪTRA

K M. = KĀVYAMĪMĀNŚA.

K. P. = KĀVYAPRAKĀŚA.

N S = NĀTYAŚĀSTRA.

Sr. P. = SRNGĀRAPRAKĀŚA.

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21 K. A. of Bhāmaha, Ch IV-V. 87-142
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"Bhayaśokābhyasūyāsu harsavismayayorapi
yathāha gaccha gaccheti punaruktam na tadvidu"//14//
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A POLICY OF BALANCE BETWEEN INDIA AND PAKISTAN : THE TRUMAN ADMINISTRATION AND THE KASHMIR DISPUTE 1947-1952

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The United States initially settled for a low key policy in South Asia in the late 1940s. The end of the British control over India and Pakistan and the coming of independence in August 1947 attracted little attention from Washington. Engaged in formulating its Cold War strategies in Europe and the Middle East, the administration of President Harry S. Truman had little time to meddle in South Asia. In addition, the American policymakers still regarded the region basically as British preserve As long as India and Pakistan remained non-communist and generally tilted toward the West, Washington thought, it had nothing to be concerned about. But once late in 1947 the conflict over Kashmir threatened a war between these two countries, the Truman administration had to revise its policy. No longer could it remain indifferent toward the region. Worried that the former Soviet Union—separated from Kashmir by only 18 miles of Afghan territory—might try to take advantage of the unstable situation in the area, the U. S. government, in close cooperation with the British government, engaged itself in trying to find a peaceful settlement to the conflict under the auspices of the United Nations Washington realized that, in the wake of the British departure from the Indian subcontinent, if Kashmir issue was not properly dealt with, it might be the graveyard of the West's influence in South Asia. Not surprisingly, as early as mid-1948, one could see the Truman administration working relentlessly within and outside the United Nations to help India and Pakistan resolve the conflict .

The conflict over Kashmir started in late 1947 when the British government left India, creating the two states of India and Pakistan on the basis of religion : India as basically a Hindu state and Pakistan as a Muslim state. While the British government itself partitioned the areas it ruled directly, it instructed the rulers of over 500 semi-independent

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princely states to choose between India and Pakistan Most of them did so peacefully, but the largest one, Kashmir, posed a problem The state had a Muslim majority with a Hindu Maharaja. While the population wanted to join Pakistan, Maharaja Hari Singh planned to remain independent if possible, and if not, then to join India. Realizing the motives of the Maharaja, the Pakistan government tried to force the issue. In addition to establishing an economic blockade of Kashmir, Karachi allowed thousands of Muslim tribesmen from the North West Frontier to enter into Kashmir Threatened with eviction, the Maharaja acceded to India on October 26, 1947 [1]

The Indian government accepted the accession without delay, but with a concurrent declaration from Governor General Lord Mountbatten that "as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the State's accession should be settled by a reference to the people." Instantly, New Delhi sent troops to Kashmir and occupied almost two-thirds of the State. The Pakistan government held the rest where a free (Azad) Kashmir government was soon proclaimed [2]

The Truman administration learned about the dispute over Kashmir from its embassies in Karachi, New Delhi and London the day after the Maharaja's accession to India. Detailing the conflict, Charles W. Lewis, the *charge d' affaires* in Karachi, wrote to Secretary of State, George C. Marshall on October 28 that the sending of Indian troops to Kashmir had created a "sensation" in Pakistan. Lewis believed that Pakistan would definitely take the matter "seriously." An editorial in the *New York Times* the same day described the situation as critical commenting that Pakistan and the Muslims would probably never accept the Indian action in Kashmir.[3]

Since the creation of India and Pakistan, the United States had taken a friendly attitude toward both of them, but with minimal involvement. President Truman sent congratulatory messages to both countries on August 14, welcoming them to the world community and assuring them of continued American friendship. The Secretary of State Marshall sent identical messages. While the United States already had diplomatic relations with India, relations with Pakistan were established on August 15, and ambassadors were exchanged soon after [4]

Other than these routine formalities, the Truman administration showed no immediate interest in the two new nations. Its response to both countries' request for fresh as well as enhanced economic assistance was discouraging. Thus on October 7, 1947, when the Indian ambassador in Washington, Asaf Ali, requested Acting Secretary of State Robert M. Lovett to increase the American allocation of food to India, the latter politely expressed his inability. Lovett explained that due to the failure of the corn crops the administration was actually considering a reduction rather than an increase in the export allocation. Pakistan's overture for a substantial amount of financial and military assistance in October was similarly sidestepped.[5] Since South Asia was free from Cold War tension at this time, the Truman administration probably did not want to involve itself as long as the stability of the region was not threatened. The Kashmir conflict, however, soon posed a threat to that stability.

In the beginning, the State Department hoped that Pakistan and India would somehow settle the issue by direct negotiations. Washington particularly looked to the scheduled Lahore meeting between the governors generals and prime ministers of the two countries for a solution. This meeting achieved little, however. The Indian Prime Minister Jawaharlal Nehru refused to go to Lahore protesting Pakistan's earlier accusation of fraud against India regarding Kashmir's accession. Mountbatten and Pakistan's Governor General Mohammad Ali Jinnah, meeting on November 1, found each other unaccommodating. Jinnah proposed a comprehensive plan of simultaneous withdrawal of the Indian troops and the tribesmen from Kashmir to be followed by a plebiscite under the supervision of the two governor generals While indicating his constitutional inability to agree to these suggestions in the absence of Nehru, Mountbatten in turn proposed a plebiscite under United Nations control and supervision that Jinnah rejected.[6]

The failure of the Lahore meeting disappointed Washington. While the prime ministers of both India and Pakistan continued making bellicose statements, the situation had deteriorated rapidly by the second week of November. The American ambassador to India, Henry F. Grady, informed Secretary of State Marshall on November 11 that a state of "undeclared war" between India and Pakistan already existed. Considering the grave situation, the Truman administration decided to

outline its position regarding Kashmir Sent to its embassies in Karachi and New Delhi, the State Department position paper expressed deep concern at the developments in Kashmir. While stating American preference for a negotiated settlement between the parties, the paper indicated doubt that, at this stage, the issue could be resolved without outside assistance This assistance, the State Department believed, should come from the United Nations rather than Great Britain, the United States, or any other single party. The Department placed special emphasis on the Indian government's promise, at the time of accepting the Maharaja's accession, to decide the issue by a plebiscite once law and order were restored. It also expressed its readiness to support any plan for a U. N -supervised plebiscite in Kashmir, provided the disputed parties agreed to it and the British government was not opposed to it.[7]

The Truman administration thus recognized the urgency of the Kashmir situation and expressed its desire to help resolve it But it did not want a mediatory role for itself probably because of the realization that any mediation was bound to antagonize one of the disputed parties given the complexity of the problem Besides, the United States had a high hope for the newly-formed United Nations' ability in ensuring collective security throughout the world. The Truman administration believed that the regional problems like Kashmir would best be solved in the floor of the world body, once direct negotiations had proved fruitless

Both India and Pakistan, in the meantime, consolidated their respective zones in Kashmir. While Pakistan strengthened the Azad Kashmir government, the Indian government established an interim administration in its part of Kashmir. To placate the Muslim population of the State, New Delhi appointed the popular pro-Indian Kashmiri leader Sheikh Mohammad Abdullah, the prime minister of Kashmir. Despite being a devout Muslim, Sheikh Abdullah hated the idea of joining Pakistan. Instead, assuring his people that he would exact an autonomous status for Kashmir under the Indian Union, the Kashmiri leader convinced the population to remain a part of India. The popularity of Sheikh Abdullah and the memory of his long struggle against the tyranny of the Maharaja pacified the Muslim population temporarily

Direct negotiations between the prime ministers of India and Pakistan, however, continued during the last months of 1947, but with-

out any success. Nehru's demand that the Pakistan government use its influence to persuade the tribesmen to withdraw from Kashmir was rejected by Karachi. Pakistani Prime Minister Liaquat Ali Khan reasoned that the tribesmen would not listen to Pakistan because they had already formed an Azad Kashmir government with support from the Kashmiri Muslims. He doubted that Karachi could stop the tribal raiders without physically going to war against them. Liaquat Ali suggested that India should withdraw her troops from Kashmir and set up an impartial administration so that a fair plebiscite could be held in order to ascertain the views of the Kashmiri people.[8]

Nehru would not agree to any of these proposals. Withdrawing Indian troops from Kashmir, he argued, would leave the state at the mercy of the tribesmen, giving them a free hand to perpetuate further atrocities within the state. He also discarded the idea of a neutral administration, maintaining that it was only the Kashmiri people who could change their government Nehru had full confidence in Sheikh Abdullah whom he called "the most popular Kashmiri leader."[9]

Although worried about the Kashmiri situation, the Truman administration still regarded it as basically a British problem. The British government was indeed the most concerned third party to the issue since it had only recently left the Indian subcontinent. Desperate to protect its remaining commercial and political interests in the region, London was anxious to prevent an open India-Pakistan conflict. When on October 25, 1947, Nehru informed the British Prime Minister Clement Attlee the events in Kashmir, the latter fervently appealed to the Indian government to refrain from intervening in the Maharaja's state. Advising Pakistan similarly, the worried British leader urged Nehru, Liaquat Ali and the Maharaja on October 27 to sit down together to settle the issue. During November and December, as the situation drifted, Attlee repeatedly requested the parties to resolve the problem by negotiations and frank consultations [10]

The British government's hands were tied, however, given its recent withdrawal from the subcontinent London could not interfere directly lest India and Pakistan interpret the move as the return of British imperialism again. Understandably, Great Britain looked for a third power which might interest itself in the issue with clean hands. The choice was no other than the United States

From the beginning, London attempted bringing Washington into the Kashmir scene. As the situation deteriorated during the last days of December, the British government felt the need for approaching the United States directly. On December 29, Paul J. Patrick of the British Commonwealth Relations Office (CRO) met with American *Charge d' Affaires* in London, W. J. Gallman, to inform him of the immediate possibility of an Indian attack on Pakistan Patrick expressed fear that, in the event of war, the Soviet Union would probably take Pakistan's side because "more trouble would be created that way " The CRO official believed that the situation required the British and American governments to keep in close touch in all the important places such as London, New Delhi and Karachi [11]

The next day, Great Britain directly appealed to the United States to take some positive steps regarding Kashmir when the permanent Under Secretary of the CRO, showed up at the American embassy in London with some top secret communications between Nehru and Attlee. Nehru had written Attlee on December 28 that Indian intelligence had discovered information that Pakistan was training approximately 100,000 tribesmen and Pakistani nationals in West Punjab to fight the Indians. The Indian Prime Minister viewed these activities as creating a "military situation full of peril not only to Jammu and Kashmir state but to the government of India " Nehru planned striking the tribesmen at their Pakistani bases claiming that India would be within her rights in international law to take this step in self-defence Sharing this information with Gallman, Carter inquired if Washington could immediately request Nehru to avoid any "rash action" like invading Pakistan and rely on the United Nations to settle the issue. Candidly thus, the British government requested the Truman administration to share some responsibility regarding the dispute in the subcontinent [12]

As indicated earlier, the U S government's policy was to cooperate with the British in matters relating to India and Pakistan Top foreign and military officials of both countries had decided in a meeting in October 1947 to communicate to each other the developments in their relations with India, Pakistan and Afghanistan Nevertheless, some State Department records show that after their departure from the Indian subcontinent, the British had been skeptical of American influence in the region. They were especially worried about the U S

commercial interests which might affect their own American ambassadors to India, Pakistan and Burma reportedly expressed their dissatisfaction over the unfriendly British attitude Ambassador Grady reported that Mountbatten did not want the Americans as partners in any way, rather the Governor General warned Nehru time and again against dollar imperialism.[13]

Nevertheless, the Truman administration agreed to consider the British overture regarding Kashmir because it was worried about the immediate possibility of Indian troops' entry into Pakistani territory which would definitely trigger a full-scale war between India and Pakistan. The State Department's urgent message was cabled to Karachi and New Delhi on December 31. Unlike the British request, the appeal was addressed to both the prime ministers instead of Nehru only. Describing itself a "firm friend" of India and Pakistan, the United States expressed regret that the Kashmir problem could not have been solved by direct negotiations so far. Now that the issue was expected to go to the Security Council, the State Department pledged that America would "respond fully to its obligations as a member of the Security Council to assist in the attainment of an early and peaceful settlement." Washington fervently urged the parties not to take any "provocative action" while the issue was being considered by the United Nations. It further requested the prime ministers to "restrain those irresponsible elements on both sides who are not alive to the grave consequences of their actions."[14]

This was the first time that the U. S government took a direct initiative regarding a major India-Pakistan dispute. To some extent, the British request influenced the decision, but to a great extent it came from the perception of the potential danger of the Kashmir issue. Seemingly, the U. S measure had produced the desired effect as both Pakistan and India, in individual letters to Washington, pledged not to resort to any rash action while the issue remained in the U. N Security Council. The British government, for obvious reasons, highly appreciated the American note to India and Pakistan. *Charge d' Affaires* Gallman telegraphed from London on January 1, 1948 that the British Foreign Office termed the step as "admirable and likely to be of great help." Great Britain was indeed happy that the United States was about to be involved in the subcontinent in seeking a solution to the Kashmir conflict.[15]

In early 1948, as the Kashmir issue moved to the U N. Security Council, the Truman administration took necessary steps to help resolve the conflict. On January 6, Secretary of State Marshall elaborated the State Department's views in a letter to Warren R Austin, the U S Ambassador to the United Nations Marshall supported self-determination for the Kashmiri people. He emphasized that the only solution acceptable to all the parties "will eventually be a determination, probably by plebiscite, of the wishes of the inhabitants of Jammu and Kashmir with respect to their long-term affiliation with either India or Pakistan." Marshall instructed Austin to support any Security Council resolution suggesting a settlement along these lines, provided both the disputed parties had agreed to it [16]

The Secretary did not plan, however, for the United States to assume the leadership on the issue in the Security Council. Rather, he wanted the British government to take that role Although aware of Great Britain's limitations due to its recent withdrawal from the Indian subcontinent, Marshall believed that as the most concerned third party, it could not avoid taking overt leadership in the Council As for the United States, the Secretary assigned it the role of helping and supporting "their [British] lead insofar as it is reconcilable with the U S position." The British government, on the other hand, wanted the United States to shoulder the major responsibility in the Security Council. On January 10, Philip Noel Baker, the British representative to the United Nations, directly suggested to Assistant Secretary of State Robert Lovett that in view of the high American standing in India and Pakistan, Washington could play a "decisive role" in resolving the issue in the Security Council. In addition, Noel Baker wanted America and Britain to work out a detailed plan because a "loud trumpet call" from the United Nations would have a greater chance of being accepted by the disputed parties [17]

The U. N floor, in the meantime, became a battleground of words between India and Pakistan. The Indian government accused Pakistan of complicity in the tribal raids in Kashmir, which, as New Delhi claimed, was legally an Indian Union. Counter charging that India had obtained the accession by means of fraud and violence, Pakistan demanded an immediate plebiscite in Kashmir to determine the affiliations of its people who were overwhelmingly Muslims The Security Council, however, did not involve itself in these controversies. It did not pass any

judgement on Pakistan's alleged aggression in Kashmir, nor did it touch the intricate issue of the juridical aspect of the Maharaja's accession. Taking rather a political approach, the first important Security Council resolution of April 21, 1948, sponsored by six members, including the United States and Great Britain, simply wanted to bring a cease-fire in Kashmir and then to create conditions suitable for holding an impartial plebiscite in the state.[18]

Pakistan was to be the first to use its influence to secure the withdrawal of the tribesmen as well as the volunteers from Kashmir. Then the Indian government would progressively reduce its troops in Kashmir to the minimum needed for maintaining law and order The resolution also suggested that the present administration of Sheikh Abdullah of the India-held Kashmir be expanded with inclusion of members from all the major political parties within the state For conducting the plebiscite, the resolution recommended the appointment by the United Nations of a plebiscite administrator with substantial power and responsibilities Finally, it urged the earlier-formed United Nations Commission for India and Pakistan (UNCIP) to proceed to the subcontinent immediately to bring about a settlement along the above lines.[19]

This resolution was of crucial importance because it embodied the essence of the U. N. stand on the Kashmir issue and it was upon this resolution that the subsequent U. N endeavours were based. The Truman administration took an important part in forming the resolution and became satisfied with the outcome In his report to the Congress in 1948, President Truman praised the Security Council because it "sought to facilitate a solution rather than to assess blame " Indeed, the U N. resolution was commensurate with the declared American policy of neutrality. Believing the resolution fair to both parties, the Truman administration instructed its ambassadors in Karachi and New Delhi to encourage the governments of India and Pakistan to accept it In addition, Ambassador Austin used all his powers of persuasion in the Security Council. Although both India and Pakistan raised numerous objections, eventually they accepted the resolution [20]

Washington policymakers, however, noted with surprise the Soviet representative Andrei Gromyko's silence and non-participation in the

Security Council debates. Could it be, they wandered, that the Soviets either did not want to antagonize Karachi or New Delhi, or were they simply hoping that "the situation would deteriorate, offering later opportunities for furthering Soviet interests in so strategic an area ?" The causes of the Kremlin's indifference at this time can only be speculated. The initial reaction of the Soviet government toward the creation of India and Pakistan had been most unfriendly. G. W. Choudhury, a high official in the Pakistan government, clearly termed it as "hostile." The Soviet Union had considered the transfer of power as only another stage of British political, economic and strategic influence in South Asia. It doubted that India and Pakistan would be anything but camp followers of the western imperialists The Soviet press maligned most of the leaders of India and Pakistan. Thus while Jinnah was termed as "more British than the British", Nehru was ridiculed as "a running dog of imperialism." Although within a short time, the Kremlin changed its unfriendly attitude toward India and Pakistan, it remained uncommitted to any view regarding Kashmir for the first few years of the conflict.[21]

In July 1948, the UNCIP, consisting of five members from America, Argentina, Belgium, Colombia and Czechoslovakia began its work in the subcontinent. The U. S. member J. Klahr Huddle, ambassador extraordinary and plenipotentiary to Burma and a veteran diplomat, was by far the most active of all the commission members. While others in the commission had practically no knowledge about South Asia, Huddle was confidently knowledgeable about the region Besides, he was the only member who was equipped with an expert political, secretarial and military staff. In sending such a strong delegation, the Truman administration manifested its desire to bear a major share in the activities of the commission The Secretary of State Marshall made this intention clear when he wrote to Ambassador Austin on May 5 that the American participation in the commission "offers the possibility of constructive leadership by the U S." although with the "responsibility shared with four other governments."[22]

The British government expected even more from the United States. The CRO proposed that America should accept the chairmanship of the commission It suggested the name of Lieutenant General Raymond A. Wheeler, chief of engineers, U. S. Army, and formerly deputy supreme

commander of Allied forces in South Asia for the post In its zeal, the CRO further suggested that the chairman should fly directly to the Kashmiri capital Srinagar, preferably with a personal guard of approximately 20 U S marines in an American military or Presidential plane While Washington appreciated the British concern for adding these prestigious touches, it declared the proposal as going too far.[23]

Sharp India-Pakistan difference surfaced almost immediately as the commission met the leaders of both the governments These centred mostly on the questions of withdrawal of troops from Kashmir, the nature of the interim government during the plebiscite and the extent of U N. authority in conducting the plebiscite. Pakistan demanded that a simultaneous withdrawal of both Indian and Pakistani troops from Kashmir must be effected, a neutral interim administration should replace that of Sheikh Abdullah, and that the United Nations should conduct the plebiscite entirely The Indian government, on the other hand, insisted upon the complete disbandment of the pro-Pakistan Azad Kashmir forces It demanded the total withdrawal of the Pakistani troops and nationals from Kashmir, while retaining sufficient number of Indian troops in the state for maintaining law and order For the United Nations, India would allow only an advisory role, while Sheikh Abdullah's government was to be entrusted with the actual conduct of the plebiscite.[24]

In its endeavour for more than a year and a half, the UNCIP could not bridge the gap between India and Pakistan and failed to effect a demilitarization in Kashmir, essential for holding a free plebiscite Yet, one significant achievement of the commission was its success in bringing an end to the ongoing Kashmir war effective from January 1, 1949 To date, it remains the only U N achievement regarding Kashmir. Some observers, however, doubted if the cease-fire was exclusively an UNCIP achievement J Wesley Adams, Huddle's political adviser, attributed it more to the war-weariness of the parties The Indian Commander-in-Chief General Bucher and his Pakistani counterpart, General Gracey had agreed that the fighting had reached a point where furthering it would amount to a full-scale India-Pakistan war Accordingly, they called it off in consultations with their respective governments But, either way, one should not doubt that the commu-

ssion's endeavours had profoundly influenced the disputant's views to secure this result.[25]

With the conclusion of the cease-fire, the U S. policymakers became optimistic about a final peace and took some steps to encourage India and Pakistan On March 29, Washington lifted the arms embargo it had earlier imposed on them to discourage their war attempts and to show American neutrality regarding Kashmir. Ambassador to India, Loy W. Henderson, and *Charge d' Affaires* to Pakistan, Charles W Lewis, both advocated the cessation of the embargo following the easing of tension after the cease-fire Again, on U N Secretary General's request, the Truman administration provided 20 out of 40 U N observers that guarded the peace along 800 miles of Kashmir war front The Assistant Secretary of State Robert Lovett even found it in the American "national interest" to provide the observers so that peace could be preserved in the subcontinent. In late March, Washington further agreed to accept the appointment of an American, Fleet Admiral Chester W Nimitz, the commander in chief of the U S Pacific Fleet during World War II, as the plebiscite administrator in Kashmir [26]

Clearly, the United States at this time became the most involved third party to the Kashmir issue But its optimism regarding an early peace was simply premature As noted earlier, despite its relentless efforts, the UNCIP could not bring consensus between India and Pakistan on creating conditions amenable to holding a fair plebiscite in Kashmir. In particular, the Indian government proved intransigent in its demands that Pakistan be completely excluded from the plebiscite arrangement, and that the plebiscite be conducted by the existing Kashmiri administration, with the Indian forces maintaining law and order [27]

The rigid Indian stand frustrated the State Department. Still, Ambassador Henderson advised Washington to be cautious in putting pressure on Nehru The Indian leader was being torn, Henderson wrote to Acheson on June 11, between his liberal and extremist advisers While the liberals advised Nehru not to recede from India's international commitment of holding a plebiscite in Kashmir, the extremists warned that a "plebiscite in near future might lead to loss of all Kashmir and disaster to Nehru and the Congress Party " The State Department realized that the Indian leader had a serious dilemma to deal with [28]

Another option for a settlement—full independence for Kashmir — never found any support from the Truman administration despite Sheikh Abdullah's repeated requests. While attending the Security Council session in January 1948, the Kashmiri leader met Austin to obtain support for an independent Kashmir Sheikh Abdullah pointed out that Pakistan and India would probably never agree on any compromise solution Then, why not, he asked Austin, make Kashmir an independent state with Anglo-American guarantees for its development. The Kashmiri leader pursued the issue further when he later met Henry F Grady, the American ambassador to India, on February 21, 1948 But the Secretary of State Marshall put an end to Sheikh Abdullah's quest by declaring that the U S government was against the "Balkanization" of the Indian subcontinent because it would create instability in the region Besides, Washington believed that Kashmir would never be viable as an independent state because of its precarious proximity to China and the (former) Soviet Union [29]

In August 1949, upon its failure to effect a demilitarization in Kashmir, the UNCIP took the State Department suggestion of proposing that both Pakistan and India accept the principle of arbitration on the disputed issues The commission announced Admiral Nimitz as the arbitrator and urged the parties to accept him in this role At this point, President Truman took a personal initiative in seeing the arbitration proposal carried out promptly On August 26, he wrote identical letters to Nehru and Pakistani Prime Minister Liaquat Ali Khan, urging them to accept the UNCIP proposal "in the interest of your own nation and in the interest of the world community " As could be accepted, Pakistan agreed to arbitration, while India rejected Nehru took Truman's appeal as outside interference in India's affairs and even termed it as "unwarranted intervention "[30]

Indian intransigence definitely annoyed the Truman administration. Still, it did not consider it wise to respond to the Pakistani government's suggestion to put pressure on India Washington confirmed the Soviet detonation of an atomic bomb in mid-September 1949. Mao Tse-Tung declared the establishment of a communist government in China on October 1, 1949 The United States was apprehensive that the next confrontation with the Soviets might well take place somewhere in

Asia It was no time, Washington policymakers believed, to pick a quarrel with India

Realizing the importance of the friendship of the largest of the South Asian countries, India in a rapidly developing bipolar world, the Truman administration invited Nehru to Washington early in August 1949 Despite American disappointments over Indian policy on Kashmir, the U. S government believed that such a visit would initiate a better Indo-American understanding The visit, however, proved to be a total disappointment for both sides Neither Truman nor Secretary of State Dean Acheson found in their discussions with Nehru any indication of Indian support for the West in a future struggle with communism Nor did the Indian Prime Minister tell them anything new about a Kashmir settlement or normalizing relations with Pakistan Nehru went home, as the chief of the Division of South Asian Affairs, Elbert G Mathews, has described "with no warmer feelings or better understanding of the United States than he had before "[31]

In the process, unfortunately, Washington hurt Pakistan's feelings. Karachi felt disappointed that Truman did not invite Liaquat Ali to a similar meeting The Soviet Union took advantage of the situation by inviting the Pakistani Prime Minister although it was yet to exchange ambassadors with Pakistan Washington also noted with concern that the Kremlin had already sent a trade delegation to Karachi in July 1949 The U. S government feared that these steps could be indicative of Soviet interests in Pakistan including, among other factors, the Kashmir issue Finally, in May 1950, the Pakistani Prime Minister visited Washington on Truman's invitation [32]

The visit was a success as both sides appreciated each other's points of view. The Truman administration sought unqualified assurance from Liaquat Ali that Pakistan would help it counteract Soviet designs in Central and South Asia The Pakistani leader also expressed in strong terms his readiness to align Pakistan with the West in the event of a world conflict. Pledging his devotion to freedom, Liaquat Ali declared before the American Congress on May 4, 1950 that "no threat or persuasion, no material peril or ideological allurement" could deflect his country from its chosen path of democracy [33]

In the meantime, Indo-American disagreements over U. N attempts at finding a formula for demilitarizing Kashmir increased Upon UNCIP's failure, the Security Council President, General A. G L. McNaughton of Canada, experimented with the idea of a phased withdrawal of the Pakistani, Indian and Azad Kashmiri forces from Kashmir. Pakistan's acceptance and India's refusal to agree to the McNaughton proposal prompted a disappointed Acheson to send a strong message to India on January 13, 1950 Criticizing the Indian government's slowness in understanding the need for a quick settlement of the Kashmir problem, Acheson urged New Delhi to accept the NcNaughton demilitarization programme Otherwise, he warned, the United States would support McNaughton's present as well as all future proposals in the Security Council Any Council action, based on these proposals, the Secretary added, would receive Washington's approval The message did not help Rather, it led Nehru to describe the U S step as "not only unfriendly in tone and substance" but also as "seeking to bring pressure on our government under threat of consequences " He denounced such American "intervention" and expressed his "great personal regret" that Acheson should have sent such a message "[34]

A *Foreign Affairs* article in January 1950 by Sir William Burton, a long time British civil servant in India, further affected Indo-American relations. Burton fully endorsed Pakistan's claim to Kashmir. He maintained that Kashmir belonged to Pakistan from the viewpoint of both geography and population and that India was holding it only by force Burton wondered how long the Indian government could retain Kashmir with more than half of its population hostile Although the Council on Foreign Relations, which publishes the *Foreign Affairs*, supposedly did not share Burton's opinion, the article brought a stir in India The Indians regarded it as part of an Anglo-American propaganda attempt to bring international pressure on them to settle the Kashmir problem on Pakistan's terms The press in India was especially critical. On January 15, the *Amrita Bazar Patrika* bitterly criticized what it called "Anglo-American machinations" to coerce India into submission. The *Patrika* warned that as long as the Security Council remained guided by the imperialistic views of Great Britain and the United States, the world body was bound to fail to bring about a Kashmir settlement [35]

India, indeed, had reasons to be angry with the United Nations, the United States and Great Britain who were trying to help solve the Kashmir dispute on the basis of a plebiscite in the state. Worried that the overwhelming Muslim population of Kashmir was most likely to vote for joining Pakistan, the Indian government was bent on discarding plebiscite as a solution, if possible, otherwise to hold one under its own authority and not in any way under international control New Delhi took the position that the problem before the United Nations was not that of deciding the fate of Kashmir but to deal with the Pakistani aggression there. Once Pakistani activities were brought to an end, India could, perhaps singlehandedly, arrange what was needed to determine the Kashmiri people's opinion regarding their affiliations to India or Pakistan

The United Nations, nevertheless, continued its search for a settlement In May 1950, it sent to the subcontinent a second mediator, Owen Dixon, an eminent Australian Jurist After repeated failures to bring India-Pakistan agreement on demilitarizing Kashmir, the mediator took a new approach of partitioning the state between the claimants, except for the Vale of Kashmir The Vale after being demilitarized, was to decide its affiliations by a plebiscite. Dixon thought that the Indian government, with all its doubts about the result of a fair plebiscite in Kashmir, might be willing to accept the partition scheme. To his surprise, Pakistan accepted the proposal, while India rejected it. Nehru informed Dixon that acceptance of the partition scheme would only mean "acquiescence in Pakistan aggression." The mediator concluded in his final report on September 15 that the Security Council could not do anything to bring a Kashmir settlement unless India and Pakistan themselves desired to come to an agreement [36]

Ambassador Henderson, on State Department's instruction, held two secret meetings, in the meantime, with Prime Minister Sheikh Abdullah to discus the latter's views regarding Dixon's partition scheme. The ambassador found him strongly opposed Partition, the Kashmiri leader told him, would "severe close blood, cultural and economic ties" and would only result in "misery economically and otherwise and lasting bitterness " Sheikh Abdullah restated his strong belief that Kashmir should be an independent country He wondered why the United Nations was not considering that option as a possible solution. Although

Sheikh Abdullah agreed with Henderson that an independent Kashmir could not possibly survive without friendly support from India and Pakistan, he believed that American economic assistance could be very helpful for his state's independent development [37]

After the failure of Dixon's endeavour, State Department's position toward India hardened The Indian recognition of the communist government of China further dissatisfied the Truman administration. More Indo-American differences arose over the Korean War which had started in June 1950 Although in the beginning Nehru supported the U. S. sponsored U. N. action against North Korea, he opposed the U. N. move to carry the war beyond the 38th parallel The subsequent Chinese intervention received Nehru's moral support, and he refused to join the Security Council in declaring China an aggressor While India thus earned the wrath of the U. S. government, Pakistan, on the other hand, attracted its sympathy by wholeheartedly supporting the American stand in Korea [38]

By mid 1950, the U. S. policymakers had started thinking that America should take stronger and more precise steps regarding Kashmir, despite the possibility of straining its relations with India A State Department policy statement on April 3 even recommended more pro-Pakistani attitude It said that while the authorities in Pakistan had repeatedly expressed their desire to associate themselves closely with the United States, the Truman administration's response had been only lukewarm. Especially, its policy of "uncertainty" regarding Kashmir was earning more and more Pakistani criticism The policy statement was critical of India's policy of non-alignment in international relations It found that, in close association with the Kremlin, the Indian government was aspiring for Asiatic leadership. The report even expressed fear that India's strong policy of consolidating the princely states and its "inflexible attitude" regarding Kashmir probably indicated "national traits which in time, if not controlled, could make India Japan's successor in Asiatic imperialism " To counteract such possible Indian designs, the report recommended organizing "a strong Muslim bloc under the leadership of Pakistan and friendly to the U S. which might afford a desirable balance of power in South Asia "

Stronger U S initiatives regarding Kashmir became evident in March 1951 as America and Britain jointly sponsored a resolution in the

Security Council. It provided for a third U. N mediator to proceed to the subcontinent immediately and if he failed to bring an agreement between India and Pakistan, the disputants were to accept arbitration. The President of the International Court of Justice was to appoint the arbitrator or the panel of arbitrators in consultations with the government of India and Pakistan. The resolution also disapproved the plan of Sheikh Abdullah's government to convene a Kashmir constituent assembly But the strong tone of the resolution as well as the joint U S - British approach did not intimidate India Rather it increased Nehru's bitterness against both sponsors India outrightly rejected the resolution alleging that it gave the arbitrators right to make "vital decisions", which Indian government could not agree to [39]

Painfully at this time, the Truman administration began doubting that its policy of neutrality and not judging the issue from moral viewpoint was doing any good It became more or less convinced that India bore the main burden for the failure of the United Nations in resolving the problem There was no way Washington could ignore this fact any longer But still, it was in a policy dilemma because Indo-American disagreement over Kashmir was bound to affect other aspects of the two countries' relations

In early 1952, when the latest U N mediator, Frank P Graham had been continuing his unsuccessful negotiations with Karachi and New Delhi, Chester Bowles, the new American ambassador to India, made a couple of personal initiatives to break the Kashmir deadlock. His first scheme of partitioning Kashmir between the claimants did not work because of State Department's refusal to back him The Department feared that a parallel U S attempt at a settlement side by side with the Graham mission might undermine the U N initiatives Besides, from earlier experience of Dixon, the State Department concluded that a partition scheme would not be acceptable to the parties [40]

The second initiative of Bowles in June 1952 was more specific and complimentary to the Graham mission While visiting Karachi, the ambassador induced the Pakistani authorities to make through him a direct offer to the Indian government regarding troops proportions to be left in Kashmir after demilitarization While India would retain 15,000 of its regular troops in Kashmir, the Azad Kashmiri forces would be limi-

ted to 3,750, a quarter of the Indian number. The 3,500 northern scouts (Pakistan) and the 6,000 Kashmiri militia (India) were not to be counted with the regular troops of India and Azad Kashmir Pakistan was not to retain any of its regular troops in Kashmir during the plebiscite. While communicating this proposal to Nehru, Bowles made his strongest possible plea for an agreement The Indian leader was not impressed, however Bowles described his meeting with Nehru as simply "disappointing." In his view, the Prime Minister was "acting in a wholly unreasonable manner."[41]

Bowles, well-known for his pro-Indian feelings, still did not criticize the Indian government, rather he advised Washington to continue its even-handed policy in South Asia Otherwise, he warned, the Soviets would take advantage of the situation by playing friends to the Indians.[42]

The Soviets, indeed, in the meantime, sounded out their views regarding Kashmir, for the first time in the Security Council on January 17, 1952, squarely accusing the United States and Great Britain of playing power politics over the issue. Soviet Ambassador to the U. N., Yakov A. Malik, charged that these powers had been interfering in the internal affairs of Kashmir from the beginning of the conflict in order to delay a settlement and to make the state an Anglo-American protectorate. The Soviet delegate contended that they wished to obtain military bases in Kashmir to use them against the Soviet Union Malik described Graham as a "secret agent of the Pentagon", who repeatedly suggested U N troops for Kashmir without even consulting the Security Council. He further added that it was no coincidence that an American was chosen as the U N mediator and then again with an American military adviser The 1949 Truman appeal for arbitration was yet another example of Anglo-American intervention in Kashmir, Malik added He also termed the objection to convening a constituent assembly in Kashmir as "a flagrant act of interference" aimed at preventing the Kashmiri people from determining the affiliation of their country independently Malik urged America and Britain to give up their "annexationist" and "imperialistic" policies and to let the people of Kashmir decide their future without outside interference [43]

The Soviet outburst, although surprising, was not expected For some time the Soviet press had been charging that the Anglo-American machi-

nations in Kashmir were the principle reason for the prolongation of the India-Pakistan dispute over this princely state As early as 1948, a *Tass* correspondent reported after visiting Kashmir that the underlying cause of the war was the British and American strategic interest in the area These powers, the report said, had long been planning to link Kashmir "in the chain of military bases with which they are doing their best to surround the Soviet Union." In April 1951, a *New Times* commentary reported the news of an agreement between Pakistan and the United States granting the latter the right to build military bases in Azad Kashmir The truth of such reports was never confirmed, but Malik's remarks in the Security Council were definitely in line with them [44]

To Washington, the belated Soviet interest in Kashmir had some important connotations Although the Indian government disclaimed any responsibility for the Soviet action and promptly disassociated itself from Malik's remarks, the Truman administration could not but notice the pro-Indian tenor of the Soviet outburst The administration became worried that taking advantage of the Indo-American disagreements over Kashmir, the Soviets would probably take the side of the Indians thus making them more intransigent regarding a settlement with the Pakistanis. Washington further feared that once the Soviet Union had given up its policy of silence, it might obstruct the Security Council efforts for a settlement, unless they satisfied the Kremlin The U S government began to realize that the possibility of an agreeable solution could now be more remote

At his point, the State Department threw its full support and cooperation behind Graham's third and supposedly final mission The Department even suggested that on the mediator's recommendation, President Truman was prepared to send another direct appeal to the prime ministers of India and Pakistan. Graham's relentless efforts, however, achieved little On February 4, 1953, the mediator finally arranged a direct conference between the parties only to meet frustration one more time Pakistan and India could not agree on any post-demilitarization troop figures in Kashmir In his report to the Security Council on March 17, Graham concluded, like his predecessor Dixon, that unless the parties decided to settle the issue by agreement, no outside help could bring any positive result All the U N representatives could do, Graham said, was to report the differences between the disputants.[45]

By December 1952, the Truman administration had become thoroughly frustrated about the possibility of a Kashmir settlement. The State Department noticed with dismay Prime Minister Nehru's negative responses to nearly all the proposals made by the United Nations, including those of its commission and mediators. Reluctantly, Washington had to criticize Indian position a number of times, but only in secret proceedings, not publicly With his policy of non-alignment in international relations, Nehru stood in the borderland between the communists and the free world. The Truman administration felt it unwise to push the apostle of non-alignment into an alliance with the Soviet Union

U S. optimism regarding a solution in Kashmir was probably unfounded from the beginning While Washington did not have much leverage in South Asia, the expectation that Pakistan and India would be guided by higher principles such as the self-determination of the Kashmiri people was not realistic Both these countries had national interests involved in Kashmir, untouched by moralism or globalism A fair plebiscite in Kashmir would have served the Pakistani interest, given the predominance of Muslims in the state, but for India it would have amounted to sacrificing Kashmir at the alter of sectarianism. That is why, when the Security Council members, especially the United States, tried to press the issue, Prime Minister Nehru branded them as anti-Indian and deliberately took the policy of thwarting all attempts at a settlement. He took the position that his pledge during the Maharaja's accession to India in October 1947 to allow a plebiscite in Kashmir was given to the Kashmiri people not to the United Nations and definitely not to the Pakistan government India would organize a plebiscite in Kashmir, but it would be on India's time table, under the Indian government's authority, and after the withdrawal of all Pakistani and other troops from the state Probably thus, no amount of American persuasion would have convinced India to allow a plebiscite in Kashmir under international control Indeed, as the two U N mediators, Dixon and Graham, concluded, the outside powers could not do anything in Kashmir unless India and Pakistan decided to compromise their interests They did not.

The record of U S policymaking in Kashmir from 1947 through 1952 show that the Truman administration intended to ensure peace and

stability in the Indian subcontinent Believing that the newly-formed United Nations would be able to resolve the dispute, the United States backed the world body wholeheartedly. In addition to wanting to see the United Nations ensure global security, Washington s policy, as shown in this study, was based on the assumption of a possible Soviet threat in South Asia As already noted, the fall of China to the communists in 1949, the Korean War of 1950, and the latest communist threat to Indo-China necessitated that the Truman administration took a forward policy in South Asia. A National Security Council paper, NSC 98/1, approved by President Truman on January 25, 1951, emphasized such a policy in keeping with the overall global interests of the United States.[46] State Department's increased involvement in the Kashmir issue was thus a deliberate one to offset any probable Soviet encroachment in South Asia, taking advantage of the unstable situation in the subcontinent Neither moral principles, nor propriety, rather exigency was the principal factor that motivated the Truman administration in formulating its Kashmir policy

In fulfilling its motive, Washington remained cautious not to take sides between India and Pakistan. Although the Truman administration was more impressed by the Pakistani leadership than that of India, it carefully maintained a neutral posture Except for criticizing the Indian government mildly in secret proceedings for its intransigence on Kashmir, Washington never took any step which could be called anti-Indian Despite the fact that Nehru had been unfurling an independent foreign policy while Liaquat Ali was unhesitatingly expressing his readiness to follow the West's lead, the Truman administration, being totally engaged in its Cold War initiatives throughout the world, felt it unwise to sacrifice New Delhi for Karachi or vice versa In particular, it believed that India, as the largest of the South Asian countries, with the most resources as well, could in time be a potential Cold War partner of America in the region If India was not available, however, Pakistan could be the next best choice An even-handed policy toward both countries, with no leanings whatsoever, thus, for the time being, suited American long term interest in the South Asian region

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UNITED STATES GLOBAL MILITARY STRATEGY IN THE NINETIES : THE THIRD WORLD PERSPECTIVE

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With the end of the Cold War and the termination of the Soviet Union, the concept of deterrence as the lynch-pin of U S. global military confrontation-strategy appears to be without any operational relevance Although deterrence is no longer active, neither is it extinct as yet, and the concept would perhaps retain a dormant character, as long as the overwhelmingly superior stockpiles of nuclear arsenals continue to be preserved, both in the United States and in Russia Nuclear deterrence remains an overarching shadow, ready to make a comeback if ever, hypothetically, an aggressive, militant and confrontational regime takes over in Russia. Meanwhile, the US is currently involved in the search for a global strategic alternative. In this vastly flexible search, the Third World appears prominently as the focus of American concern, with such expressions as 'The Third World Threat Potential' being coined by such conservative American 'Think-Tanks' as the Washington D. C.-based Heritage Foundation.

At this particular stage of the systematic transition process, when the quest for a renewed and stable global order suiting American interests remains the ultimate objective of USA, it is no exaggeration to suggest that perhaps the Third World does figure at the level of controversial prominence in futuristic U.S strategic calculations worldwide The current flow of literature on military-strategic considerations reflects an ongoing lively debate by experts, scholars and strategists alike, and although some of it might appear to have the superficial qualities of being treated as scholasticism, when examined by a Third World counter-part, a lot of it deserves serious review and analysis, due to the sheer impact on future global order.

This paper is aimed at concentrating on some of the recent advances in thinking regarding changed American strategic perspective on the

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Third World, in an attempt to gain a comparative knowledge of how American scholars vary in their perceptions of new parameters of utility of the Third World, regionwise, resourceswise and allegiancewise The research value of this work may hopefully lie in gaining a comprehensive set of strategic options whose relevance may be the subject of a critic's domain, thus leading to a fuller appreciation of the American contribution on the emerging criteria of U S strategy-formulation.

As political pressures regarding resources-constraints continue into the future, the debate on American military strategy will also face complex questions, specially on Third World involvements It would be pertinent to clarify the fact all the more that none other than the perception of national interest which is held at this point of time shall be the determining hallmark for the formulation of any revised American set of strategic choices The ability to correctly discern the U.S. interests in the emerging 'new global structure' will be probably characterized by a continuous search process based on the unique turn of global events and the image of American relationship to each of those. Specially sensitive in this regard is the question of future military intervention in largely Third World regions which, just as in the Cold War years, continue to trigger off sharp views and rebuttals It would be relevant to introduce the major strands of thought which seem to emerge at the current period in American strategic literature as the decade of nineties unfolds itself and seems headed towards rather unpredictable directions as we strive to reach the mid-nineties.

There is first, the neo-realism school which tends to be more supportive of a hands-off policy by the U S towards the Third World and concentrates more on Japan and Europe in the absence of the Soviet Union It basically disregards any need for the Third World to embrace American values and perceives no economic threat of any significance from the regions therein, while U S politico-ideological interests there are also seen as marginal Stephen Van Evera (1990), a powerful proponent of this school of thought focuses on the need for U S military presence in Europe as a part of the collective process to counter the dangers of nuclear proliferation, promote stability and restrain the symptoms of both militarism and nationalism [1] He rejects the balancing and the 'human rights-cum-democracy' themes as irrelevant for U S.

interest in the Third World and nullifies intervention as any positive cure. Van Evera considers U.S. power to be poorly adapted for Third World type war-prevention or engagement tactics and proposes that such efforts at 'order-keeping interventions' would fail Robert Johnson (1985) in an earlier article argued in a similar vein even when the Cold War was still on, pointing out that principles like self-determination and peaceful change could be of 'ambiguous relevance' due to the largely 'internal' character of such conflicts in these regions [2] He recommended extreme caution and avoidance of 'vague rationales' for intervention. With a greater likelihood of ethnic and nationalistic issue-based Third World conflict-pattern in the post Cold War context, the neo-realists do reflect a powerful choice criteria but that nonetheless isolates the power of the American military muscle from effectively shaping United Nations schemes to materialize a more directly visible expanded role which could span from peace-keeping, peace-making to a peace-enforcement strategy.

The 'neo-internationalists' represent a different school of thought, more selective as well as more positively concerned regarding the central position of the Third World in determining the very external status of a super-power because such dealings may interpret American credibility to defend vital interests elsewhere Elliot Cohen's (1982) article in the Cold War era rationalizes U. S need to fight even 'small' wars since they originate "directly from its role in the postwar world as the preeminent maritime power and leader of the Western World "[3] Steven R David's (1993) article on "Why the Third World Still Matters" focuses on threats to U. S. interests which are of non-Soviet origin, namely, chemical cum biological weapons, ballistic missiles and nuclear proliferation, thus leading to his proposition that the U S would have the 'greatest chance of becoming embroiled in violent conflict, regardless of whether the interests involved are 'vital' or the threats 'significant' [4] U S military strategy as David argues cannot ignore transnational issues as drug trafficking and mass emigration originating in the Third World which must lead to serious strategic considerations favouring involvement

Michael Desch offers a critique of both the neo-realist and the neo-internationalist schools (1989) and chooses to emphasise a third view which involves strategic interest-determination based on intrinsic or extrinsic values.[5] Geographical proximity serves as Desch's criteria and

certain areas of the Third World, in contrast to the two earlier schools, not all parts, must gain credence in U.S military strategy. While he applies the theory in practical terms by categorizing West Europe, Northeast Asia and the Persian Gulf as intrinsically vital to the U. S., their defense must be ensured by the three other extrinsically vital areas as an integrated whole, namely, the Caribbean, the littoral of the Indian Ocean and a base in the Western Pacific

James Chace (1988) has a process-oriented approach when he considers Korea, Panama, the Philippines and Latin America to be simply 'inescapable entanglements' where regional conflicts would demand an American preparedness to deal with those effectively for if left unattended, they would 'engulf an administration'.[6] All these literature so far referred to are of the pre-Soviet collapse era and may thus tend to bear the overtones of the Cold War days in the light of a bipolar world view However, more recent works offer a better linkage and a comparative conceptual grasp of the subject-matter Robert Art (1991) looks at the challenge for previous schools of thought to realign along a continuum between two opposing approaches where the extremes are either 'unbridled internationalism or constricted isolationism'[7]. Current American military strategy and the application of force in Somalia represents an ideal which may be judged as closer to the first extreme, whereas the continuing American posture of maintaining a hands-off policy militarily in Bosnia-Herzegovina despite a lot of rhetorical overtures to the contrary, tend to indicate a policy realization which has a veiled influence of the second extreme of constricted isolationism Robert Art identifies five vital areas for future U S. strategic adjustment to the earlier mentioned continuum These are defense of the homeland, preservation of prosperity based on international economic openness, assured access to Persian Gulf oil, prevention of certain wars, and the promotion of democratic institutions and certain humanitarian values abroad when feasible He considers military presence as a direct incentive for maintaining openness in highly inter-dependent economic systems Such presence includes the northeast Asian region as well as Israel, provided the latter agrees to free the bulk of the occupied territories. Robert Art's contentions involve the Third World in a realistically preventive, defensive role in terms of American strategic military presence

Recent work by Samuel P. Huntington (1991) indicates recommendations for an aggressive U S. policy that must counter Japanese economic challenge, prevent emergence of any political-military hegemonic power in Eurasia and protecting specific Third World interests, notably in Central America and the Persian Gulf [8] Huntington argues against the use of strategy and capabilities for deterring threats which he considers currently non-existent and he also opposes any Cold-War-type competitive interests in the Third World, while he suggests much smaller force deployments to serve strategic functions for Central America, the Middle East, Korea and the Philippines He expects 'institutional innovations' that would lead to comprehensive and integrated approach to the domestic and foreign policy issues as well as a marriage of economic and military power

Having surveyed the strategic and military perceptions that one would have to reckon with as an approximate literature-survey, it would be appropriate to look at some of the definitive aspects of an American strategic transition in the Third World context The new reality demands a compelling degree of strategic familiarization with regional warfare which is a growing trend in this decade of the nineties and involves both complex as well as flexible American participation unlike the single-minded focus of the Cold War deterrence doctrines Any American strategy requiring optimum response to a regional crisis would warrant such drastic transformation in military thinking that as Elliot Cohen (1990) proposes, the current approach of studying strategy would have to be 'declared bankrupt and abandoned' [9] It is considered a fairly safe assumption on the basis of recent global events that warfare has grown into a more favoured instrument in regional conflicts Robert O'Neill (1988) predicted almost five years ago that in dealing with Third World disputes, force, both in its deterrent and operational sense could be the essential means [10] The pursuit of any coherent strategy of the Cold War variety would be impossible for the US due to the diverse nature of Third World regional disputes based on locally-generated socio-political characteristics which complicate the directions of their security policies Studies by John Chipman (1991) and Edward Rice (1988) help to expose such hypothesis "Possible Third World instability may be prompted by insurgency upsurges, thus encouraging viable balancing processes through realignment, while prospects of any Russian revival of

military bipolarity appears most unlikely With regional powers trying to fill the vacuum of an existing superpower's presence, regional hegemons may drastically alter the security climate of lesser powers in a region, more so in the absence of superpower's preference in locating any strategic self-interest. (Mark Katz 1991).[12]

The United States may appear to be relatively concerned with potential conflictual issues of a non-military nature, specially because economic power seem to have more relevance in current global dealings than military on a strategic scale, as Edward Luttwak recently proposed (Luttwak 1990) [13] There is now a geo-economic trend of strategic thought that links economic disequilibriums in the Third World with negative security implications (Chipman 1991, Kemp 1990) [14] Separatist movements and a rising tide of insurgency warfare, coupled with disproportionate population increase, cultural and socio-religious disputes, as well as political legitimacy crises of ruling elites — all of these seem to have dampened much of the American energies in pursuit of fixing up trouble-ridden post Cold War Third World structures. Yet Americans do face up to the odds in some of the critical areas like Somalia, Haiti, and a few others despite domestic reluctance There is a tendency to often cite examples of growing militarization in the Third World based on a selective procurement of sophisticated arsenals [15] But perhaps these have more to do with arms sales policies by developed states including the United States, based on profitability quests rather than any meaningful threat-perception, unless one chooses the problem of nuclear proliferation to be in this category Most Third World states tend to suffer from deficiencies in operational command structures, maintenance and tactical aspects of modern military planning, largely due to an essential dependence on foreign technology, which leads to the use of borrowed concepts American military strategy in the Third World must have to look at other compelling realities beyond a threat perspective.

The formulation of military strategy has to reckon with the way that American interests are perceived on such future forms of conflict as 'brushfire' wars (Richard Shultz 1989)[16] or what is now commonly identified as 'unconventional' wars initiated by guerrilla or even terrorist organizations, as Martin van Creveld (1991) suggests.[17] If critical attention shifts in such directions in the context of the Third

World, most of the earlier deterrence-based intellectual institutions in U.S. military strategy would deserve reexamination, so that the question of retaining and rejecting Cold War oriented strategic concepts can undergo a threadbare pick and choose process. In the changed context, American military strategy would require to draw out conceptual separation of the doctrines of collective security and coalition warfare.

While collective security arrangements have historically been based on long-term provision for an integrated command structure, codifying of commitments and obligations, and coordination of common interests, such choices can work out, as Robert Art (1991) reminds us, "only if all member states pledge in advance to punish any aggressor state for its aggression regardless of its identity."[18] These conditions make the doctrine a rare act in operational terms since only in sheer extreme case would a common target of such a nature evolve in advance, fully aware of its suicidal plight and capable of generating such collective hatred against it Collective security, as envisioned in NATO and the former Warsaw Pact, basically survived and functioned as a deterrence mechanism. Coalitions, on the other hand refer to ad hoc defensive response arrangements following a rapidly emerging crisis and in the absence of any prior security structure. They form due to an unanticipated but short-term threat resulting in a union of states meant to confront the crisis and once it is over, the coalitions disband themselves This refers to the U S military strategy applied in the Gulf War, where the U S. shared common cause with Syria, a known adversary, while Jordan, a long-term ally chose to remain neutral

In dealing with the Third World, American military strategy would have to adapt with the fact of a fluid nature of coalition-building process in response to various types of crisis that could change with shifting political interests. The current U S. dilemma in Somalia as well as in Bosnia, tend to indicate the type of uncertain, fluctuating turn in realities as just stated In addition, the emerging world order leads to a compelling recognition of the reality that her major security allies are also her real economic competitors U S strategy for the Third World must reckon with the uncertainties of a greater array of 'diplomatic combinations' along with the characteristics of multipolarity in the new setup.[19]

The question of burden-sharing emerges as the next likely problem in an emerging system where, unlike the compulsions of Cold War when funding enjoyed obvious legitimacy for Third World anti-communism needs, it appears much too difficult to get the necessary legislation for funding a military strategy that focuses on Third World security. The hostility-dimension in applying military measures, both from the affected state as well as from other contending interested parties, even though the steps are based on United Nations-approved coalition, could yet be a touchy issue as far as it relates to American domestic valuation of such roles, particularly if such strategy involves unacceptable American casualty figures.

Despite the oddities involved, some form of a rough consensus on American strategic priorities in the Third World context seems to be taking shape and a Pentagon picture of what it could be like is perhaps visible despite the fact that each turn of global developments could bear unique properties which in turn may help to divert strategic visions in new directions. The Pentagon claims to have designed a future force structure which may enable the United States to defeat potential aggressors, take its part in international peacekeeping operations, sustain a military presence overseas, and maintain an effective nuclear deterrent In fact, these objectives are supplemented by an interesting set of operational choices, which in specific terms are :

— allow the United States to fight and win two nearly simultaneous major regional conflicts ;

— offer forces for participation in peace enforcement operations, in most cases as part of a multinational effort ,

— provide general purpose forces related to sustaining the overseas presence of U S. military forces ;

— maintain an effective nuclear deterrent 'while remaining within START TWO limits' and 'allow for additional forces to be reconstituted, in the event of a threatening reversal of events'.

[Excerpts . U. S Defense Department's "Bottom-Up Review"]

Official elaboration and rationalization is as follows .

First, we need to avoid a situation in which the United States in effect makes simultaneous wars more likely by leaving an opening for potential aggressors, to

> attack their neighbours, should our engagement in a war in one region leave little or no force available to respond effectively to defend our interests in another. Second, fielding forces sufficient to win two wars nearly simultaneously provides a hedge against the possibility that a future adversary—or coalition of adversaries—might one day confront us with a larger than expected threat In short, it is difficult to predict precisely what threats we will confront ten or twenty years from now In this dynamic and unpredictable post-Cold War world, we must maintain military capabilities that are flexible and sufficient to cope with unforeseen threats In planning our overall force structure, we must recognize two other factors First, we must have strategic lift to deploy forces when and where we need them Second, certain specialized high leverage units or unique assets might be "dual tasked", i e , used in both MRCs
>
> [Excerpts . U.S Defense Department's "Bottom-Up Review" Sept. '93.]

Third World states have, on the other hand, acquired a more vague and uncertain identity-dilemma at this stage of the global transition, specially due to the almost total demise of the Second World, which in a sense, creates a confusing vacuum in terms of even an approximate categorization of what constitutes the Third World A more likely workable basis could be to perceive the Third World in terms of the 'developed and developing 'criteria, although such a fixation also leads to serious problems in treating states as South Korea, Singapore, Saudi Arabia, the U.A.E. or Brazil and Argentina as developing, while these are the ones which very clearly fit in within the current format of continuous American strategic interest in an equally positive sense, as in the Cold War period. Most of what is known as the Third World appear to take a more positive view of U S. global military strategy in the post-Cold War context compared to the way it was reflected worldwide in the very uncertain and traumatic manner during the Cold War period, specially since the strategy depended so exclusively upon the diabolical concept of 'Mutually Assured Destruction' under the compulsions of deterrence-based military doctrines

The United Nations reflects its current posture of unique degree of initiative-oriented, outward-looking activist pursuits, ranging from peace-keeping to pace-making and peace-enforcement functions and, this could be an impossible role, had it not been for the extent of American military support. Third World states have in general strongly backed American initiatives under United Nations auspices. At the same time, American public opinion as well as congressional moods seem to

sway up and down heavily when the balance-sheet is drawn in terms of American casualties and the pursuit of U S national interests in a comparative quest for rediscovering the worth of such unprecedented endeavours The United States had been accustomed for such long periods of the Cold War years regarding Third World doubt expressed at the United Nations on the question of super-powers confrontation, as it was specially perceived by the Non-aligned Bloc, that it would indeed require perhaps a clear-cut period of hard-reckoning by American defense-planners to be able to apply U.S military strategy and her resources to serve as the global policeman in appreciation of current Third World expectations.

Yet, American writers on security studies and foreign affairs seem to place a new degree of emphasis on a certain role-revival for the Third World as is currently envisioned through such work as 'Why the Third World Still Matters' by Steven David in the 1993 Winter issue of the Harvard journal *International Security*, or for example, 'The Unipolar Illusion : Why New Great Powers will Rise' by Christopher Lane in the Spring '93 issue of the same journal. These research papers reveal scholarly findings that emphasise a very dynamic and uncertain global transition process marked by pivotal coalescence of U. S.-Third World mutual interest-formulation. Based on the above-mentioned study of American politico-military perceptions on the Third World, a final conclusive note that appears to emerge would be as follows ·

That militarily, the U.S is most likely to project the power for massive intervention in the Persian Gulf for the dual purpose of protecting them from interstate aggression as well as suppress major civil conflict. The U S is likely to be militarily prepared to deny the control over nuclear weapons to such states, groups or even individuals who may threaten U. S. interests This will include promoting the international norms against nuclear weapons escalation, ensure international safeguards, reassure allies to rely on American nuclear umbrella rather than develop their own. The U S is also likely to develop systems to maintain defensive postures against any possible Third World ballistic missile threats however remote that might be. This is unlikely to be on the scale of the space-based SDI or even the 'Global Protection Against Limited Strikes' (GPALS) types.

U.S. military strategy may also seek to reduce the frequency of wars in the Third World although, this may involve a policy of dealing with unpredictable, long-drawn, traditional regional tensions. In such circumstances, she is more likely to work through the United Nations umbrella. As an overall continuation of previous policies, the U. S. is also seen to press on even harder for the promotion of democracy and human rights as well as economic development and modernization in the Third World Such efforts can greatly enhance American strategic interests through a greater likelihood of reducing intra-regional tensions. A military strategy of selective engagement in the Third World is more likely to emerge and this may not prove too expensive for the USA during this era of defense reductions, since over half of the defense spending had been geared towards Europe, where the Europeans are more likely to assume autonomy of defense, in certain parts at least. An isolationist complacency is perhaps the least viable choice despite the uncertainties of U.S. military engagements in torn-down Third World rivalries. The final word is that growing power and instability in the Third World could still threaten American interests in certain ways whose implications do perhaps still remain unknown Although they may not seem to be as overwhelming as that from the erstwhile Soviet Union, they could yet be more likely to arise in an incremental manner.

Therefore, far from pursuing any strand of reduction-oriented or removed-psychology formula, the United States, despite occasional doubts based on domestic pressure and a hands-off syndrome, would seek to strike a more balanced, regulated and predictable partnership with the United Nations, as far as most Third World military and strategic engagements may be initiated. In recent times there has been a treasured experience-gaining process through U S. military actions in Somalia, Iraq and the continuing naval blockade away from the shores of Haiti, as well as the deliberate military inaction in Bosnia, which does not conform to the Third World but rather the European variety, as Europeans seem to emphasise.

However, these have continued to be a learning as well as a cost-formulation experience for the USA which would greatly help not only to materialize future weapons-acquisition policies based on the applicability of those in practical battlefield conditions and utility-perceptions, but will also lead to a more concrete and decisive American

assertion of its multilateral Third World military cooperation and a willingness to share strategic planning at a more human and man to man level with Third World states. All of it indicates the growing importance of American military strategy in the post Cold War context and the Third World perspective.

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J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No. 1, June 1994

SOME THOUGHTS ON PROMOTION OF ENTREPRENEURSHIP IN SMALL BUSINESS IN BANGLADESH

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1. Introduction

The role of entrepreneurship has recently been re-emphasised for its importance in the development process of a country It is argued that the existing difference in the levels of development of various countries of the world is accounted for by variation in the supply of entrepreneurial ability. As such, in order to accelerate much needed economic growth of Bangladesh, there is a need to develop local entrepreneurship through promotional efforts so designed under an appropriate policy environment for industrialization Industrialization happens to be the most widely accepted development strategy to address the problems of poverty alleviation and employment creation as fast economic growth achieved therefrom in a highly populated underdeveloped country creates externalities for human and material uplift The development strategy of Bangladesh has long been geared toward rapid structural shift from agriculture to industry as can be seen from the development plans. But emphasis has been placed in both public sector and public aided private sectors on large scale industries. Due to limited infrastructural development, limited investible funds, isolated small sized markets and non-availability of skilled human resources, most of the large scale industries in Bangladesh have failed to operate in a manner that helps to generate surplus from the production process. This has resulted in the default of repayment of public sector funded loans which were taken largely by few families who had access to state patronage system As a result there has been no corresponding increase in employment and production

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Even though EPSIC was established in the mid-fifties, it is in the 1980s that some policy makers and the multilateral as well as bilateral donor agencies have realized this lacunae in the policy implementation and advocated that vigorous promotion of small business capable of utilizing local resources, technology and manpower can play much needed catalytic role in the transformation of Bangladesh economy. From then onward the government of Bangladesh has actively worked to formulate an effective economic policy towards the development of institutional and policy environment to promote micro-enterprises and entrepreneurship thereof but without much success

1.1 Objectives

Objectives of this paper are to .

(a) explain why small scale industry is a promising sector for generating new employment and production specially in rural sector ;

(b) analyze the current status of small business and entrepreneurship in Bangladesh ,

(c) examine the current government policy and programmes for development of small business and entrepreneurship

1.2 Methodology

This study is based upon extensive literature survey and systematic examination of the various industrial policies and development plans of the People's Republic of Bangladesh The terms "small business" and "micro-enterprise" have been used as synonym to each other

2. Importance of small Business in Developing Economies of Bangladesh

In a developing country like Bangladesh, promotion of small enterprises which is relatively less capital and skill intensive and whose management is not complex is likely to ensure more employment and production outlet for entrepreneurial ability which in turn would generate a process of accelerated economic development Statistics on many developing countries like India, Columbia, Ghana, Indonesia, Nigeria show that small and micro enterprises are the largest employers accounting for 70%-88% of employment in manufacturing sector and

they provide a production outlet for the entrepreneurial spirit of individuals and assist in the dispersal of economic activity throughout the country Small business sector exhibits imagination and entrepreneurship in making use of resources that may otherwise not been drawn in the development process [1]

The results of investigation by many researchers suggest that the innovation and invention leading to the creation of industries for future growth have emerged from and was initiated by the small business sector.[2] This is more so for a developing country like Bangladesh. Here small business sector is distinctly important for various reasons[3] some of which are as noted below .

* Small business (SB) sectors are generally labour intensive and Bangladesh is a labour surplus economy
* SB generates more direct and probably more indirect jobs at relatively low capital cost and particularly in service industries capital costs are very low.
* SB provides production outlets for the talented, energetic, enterprising, independent people, many of whom would not fulfil their potential in a large organization
* SB serves small and specialized markets that are not attractive to large companies
* SB provides a feedback for entrepreneurial talent
* SB enhances community stability, does less harm to the physical environment than large factories, improves rural welfare, and raises the level of popular participation in the economy

Small business plays a vital role for facilitating decentralization and widening the industrial base of the economy for creating income and productive employment opportunities which are imperative for a developing country like Bangladesh Each year in Bangladesh on average 1.5 million young people are added to the work force of the country The rate of growth of employment opportunities provided directly by the government agencies has now slowed down Few big industries and public enterprises which exist are capital intensive in nature Trading houses normally employ few people most of whom are family members Other organizations are not enough to absorb most of the additional

labour that seek employment The emergence and development of entrepreneurship in micro-enterprises may ensure creation and enhancement of employment opportunities to many of them if policy environment for their promotion and sustainability exists. This argument is supported by a much published finding of MIT researcher David Birch. According to the study small companies of fewer than 100 employees are responsible for as many as eight out of ten new jobs in USA.[4] This is likely to be more so in a developing country like Bangladesh where a significant informal sector exists

The widespread consensus on the great potential of small enterprises in development of job creation warrants special attention in both industrialized and developing countries In USA during the period 1980-82, 1 7 million jobs were lost in firms with over 100 employees but 2 6 million new jobs were created in firms with fewer than 1000 employees, which accounted for 43 percent of the net increase in jobs [5]

In rural areas small and cottage industries constitute important sources of both primary and secondary employment National censuses of various developing countries indicate that one fifth or more of the rural labour force is primarily engaged in small and cottage industries (45% of the rural labour force in Peru) and 10 to 20 percent of the rural male labour force undertake small enterprise activities as a secondary occupation during slack period of the agricultural cycle [6] Much statistics on employment generated by the small and micro-enterprises is not readily available in Bangladesh But from the censuses of other developing countries inference can be safely drawn that small and micro enterprises in Bangladesh are playing a vital role in generating employment especially in rural areas. One available statistics indicates that in Bangladesh women constitute over 34 percent of the work force in rural industries [7]

The above facts establish that only through continued development of interactive small scale enterprises with backward and forward linkages the nation can ensure more equitable growth than exhibited by currently existing distribution of national income as through increased mobilization of productive resources at local level, capital and skill which might otherwise have remained unutilized, find gainful employment

3. Importance of Indigenous Entrepreneurial Group For Economic Development

For development of small scale enterprises and entrepreneurship in Bangladesh, the rural sector deserves priority over the urban since about two-thirds of the very poor live in rural areas and scratch out their livelihood from subsistence agriculture either as small farmers or as low-paid farm workers. Of the remaining one-third, the majority are also located in rural areas who are either underemployed or unemployed or engaged in petty services, the rest are located on the fringes and marginal areas of urban centres where they are either unemployed or engaged in various forms of self-employment such as street hawking, trading and petty services It is believed that 75-80% of all target below poverty level groups are located in the rural areas

If policies aiming at development and economic emancipation of the bottom 40% are to be successful, efforts must be made to improve the economic condition of the rural people Such efforts demand not only the provision of proper education with basic learning content and employment opportunities for them but also improved access to complementary resources of production including organization for procurement of inputs and marketing of outputs. Such a programme would lead to a favourable entrepreneurial environment for the unemployeds

4. Status of Small Business and Entrepreneurship in Bangladesh

Small business consists of small industries and cottage industries as well as service and business outlets In the overall context of socio-economic condition of Bangladesh small enterprises have been playing a significant and vital role which remains unrecognized due to defective system of nation's income accounting At present there are over six million small and marginal farm households and over a million of small and cottage industries in Bangladesh It is estimated that small and cottage industries of Bangladesh contributes about 42% (in 1989-90) of total GDP that is earned from the manufacturing units [8] It provides employment to 5 million people directly and indirectly accounting for 78% of the total industrial work force (Fourth Five Year Plan) [9]

There is no doubt that more livelihood may be eked out of micro-enterprises at moderate cost which has already been established earlier

It is the entrepreneurs who translate the existing opportunities into thriving, profit making, job generating small enterprises. But the history of local entrepreneurship in Bangladesh does not reveal a very bright picture. Moreover no statistics about the present numbers of entrepreneurs could be found. Before liberation Bangladesh was a fertile ground for entrepreneurship, dominated first by the non-Muslims and then by the migrant community of non-Bengalis Between 1947 and 1965 when a large number of non-Muslim entrepreneurs had left the country, the migrant community of non-Bengalis took advantage of this The Bangladeshi village entrepreneurs emerged to fill the vacuum only at the turning point of liberation (1971) after clearly identifying a favourable context of operation and the shortage of goods and services in the local markets. From 1971 to 1980 the nation observed a spectacular growth and success of small entrepreneurs as the government policy encouraged the men of small means towards the development of enterprises. However, the pace of growth has been retarded after promulgation of the New Industrial Policy (1980) which ensured better bargain for large and medium investors While looking at the characteristics of the Bangladeshi entrepreneurs and small enterprises, it appears that initially Bangladeshi entrepreneurs used to produce only traditional goods and services for highly localized markets. A business approach and entrepreneurial ability are lacking generally and more so in the PVO sector. People are interested in the types of industries and activities which are known to be profitable and hesitate to enter into new areas [10] Even then they are producing both traditional and non-traditional items

The entrepreneurs of Bangladesh produce those products which are easy to produce, easy to sell, have easy availability of raw materials and promise a good return [11] They are hardly innovative in terms of Products to be produced and markets to be explored Regarding ownership, sole proprietorship seems to be the most preferred pattern of ownership causing constraints in getting venture capital Bangladeshi entrepreneurs are very much skilled in imitating which may help the growth of entrepreneurship and enterprises in Bangladesh provided government and other engaged in developing work encourage and support the entrepreneurial initiatives of the entrepreneurs interested in small business.

In Bangladesh the policy frameworks and practices have long been biased in favour of large scale enterprise, especially in case of investment finance, availability of input materials, approvals, institutional supports ; as a result most of the small enterprises either suffered from lack of sufficient capital or was compelled to arrange the same from non institutional sources at high cost They also faced the following problems

(a) irregular access to domestic and imported inputs like raw materials and spares, coupled with high cost ;

(b) under utilization of capacity due to limited market or limited availability of input resources ,

(c) inadequate infrastructural facilities ,

(d) lack of technical and managerial competencies ,

(e) lack of institutional framework for marketing the indigenous cottage industry products and lack of information on possible local and export markets ;

(f) poor bargaining power and consequential exploitation by the middlemen ,

(g) insufficient market demand and strong competition from foreign goods, especially smuggled goods ,

(h) either absence of meaningful government assistance or presence of complicated procedure for getting assistance and lack of empathic orientation of the functionaries of government agencies

5. Present Policy and Programme for Entrepreneurship Development in Relation to Small Business

Emergence and growth of small entrepreneurship depend to a large extent on the existence of various environmental factors of macro-economic nature on national and sub-national levels which is highly related to the government policy But, the government of Bangladesh was not able to formulate a dynamic, clearly defined industrial policy The past decades of Bangladesh's industrial policy are marked by confusion and contradiction. However, the 1991 industrial policy, and the Fourth Five Year Plan (1990-1995)[12] have expressed in clear terms the policy

orientation of the future industrial programme by placing almost every item under private sector, encouraging the entry for private entrepreneurs into micro-enterprises on which much emphasis has been placed. With this end in view, the policy proposes that all kinds of existing obstacles in setting up micro industries would be removed and all institutional procedure would be simplified The role of government would be basically promotional in nature rather than a regulatory one

In this light for development of entrepreneurship in micro-enterprises following measures have been taken in respect of training, credit facilities, institutional support, marketing assistance, tariff concession under the present industrial policy (1991) [13]

5.1 Training

The need for training and consultancy to improve the management and business skills of entrepreneurs involved in small business in order to promote their efficiency and success is beyond any question. BSCIC has been assigned to meet the need of training by launching continuous training programme specifically tailored to the needs of entrepreneurs involved in micro-enterprises Another government agency i e. Productive Service Wing (PSW) of the Bangladesh Employer's Association (BEA) has been entrusted with providing consultancy services to the micro-entrepreneurs for a nominal fee.

5.2 Credit

Scarcity of capital is one of the main constraints which the entrepreneurs face in setting up and in developing their ventures. To solve this problem, financial institutions and commercial banks have been required to create separate window for providing financial assistance to small and cottage industries in general In case of some special types of small and cottage industries financial and credit facilities are provided by BSCIC. Small and cottage industries which will be granted credits by financial institutions/banks must be registered with BSCIC as per the Industrial Policy of 1991

- Small industry credit guarantee scheme has been planned to be introduced as a joint venture of BSCIC and Bangladesh Bank/Private General Insurance Corporations/ Companies in the 1991 policy.

- Like the small and cottage industries, institutions involved in sub-contracting may also avail funds from banks and financial institutions irrespective of their locations This will help to resolve some of the marketing problems of small entrepreneurs
- Entrepreneurs in the small and cottage industry will not be charged more than 10 percent rate of interest for their capital borrowed from banks/financial institutions/BSCIC
- To overcome the constraints of exchange rate the government had introduced an Exchange rate Fluctuation Absorption Scheme (EFAS), the continuance of which would encourage all industrial entrepreneurs
- Maximum of 80% of total capital will be provided by the banks/financial institutions/BSCIC

5.3 Institutional Support

Bangladesh Small and Cottage Industries Corporation (BSCIC) is the main government sponsored organization for promotion and development of small and cottage industries sector in Bangladesh It is the successor of former East Pakistan Small Industries Corporation (EPSIC) which was established by an act of East Pakistan Legislative Assembly in 1957 and was amended for adoption after liberation by the government of Bangladesh BSCIC is responsible for all types of activities embracing the growth and development of entrepreneurship in micro-enterprises

Other government organizations entrusted with the development of entrepreneurs and small business are . Bangladesh Rural Development Board (BRDB), Bureau of Manpower Employment and Training (BMET), Productivity Service Wing (PSW) of the Bangladesh Employer's Association (BEA) and BASIC originally set up as a joint venture with BCCI which have now become operational again

5.4 Marketing Assistance

One of the main reasons for slow progress of small business is the lack of entrepreneurs expertise in marketing since they are not aware of the importance of market information for profit maximization. As such, under the industrial policy, 1991[14] BSCIC has been assigned to provide updated information about the products, marketing plans and

conduct continuous marketing study to assist the small and cottage industries for their profitable operation In addition to above ·

- Government, semi-government and autonomous bodies are to assist in marketing of the products produced by the small and cottage industries through their own channel
- BSCIC is to continue its efforts in creating infrastructural facilities in the growth centres of small and cottage industries similar to those available in the Industrial Estates for improved market link-ups

According to the new policy machinery/spare parts required by the new and existing heavy and medium industries and government, semi-government and autonomous bodies have to be procured from small industries and in these cases, subcontracting will be given preferences

5.5 Tariff Concession

To promote entrepreneurship in small business, the new industry policy of 1991[15]

- allows small and cottage industries of less developed area to enjoy duty rebate for producing excess over the approved production capacity ,
- exempts small and cottage industries from paying (a) development surcharge against importing machinery and spares, (b) authorization fee for import permit/L C , and (c) municipal conservancy fee for industrial estate ,
- allows all small and cottage industries of any nature to enjoy tax holiday based on their location and recommendation of BSCIC ,
- exempts entire export earnings of handicrafts and cottage industries from paying income tax Other than exemption of income tax, export oriented micro-enterprises will enjoy similar tariff benefit as is enjoyed by the large and medium scale industries. However, no extra benefit will be awarded to them.

6. Recommendations

In spite of the vital importance of the small business the approach and efforts made by the government and its agencies for promotion of

small and rural industries since independence has so far failed to achieve the desired growth of the micro-enterprises Development of micro-enterprises remained not only stagnant but is below the 1969-70 level in terms of contribution to GDP Some of the major factors for such a stagnation may be traced to the following

* Lack of favourable policy climate for the growth of private sector small industries and lack of dynamism in the private sector activities
* Inadequacy of institutional network to support any widespread development of small scale rural industries
* Lack of emphasis in the investment policies for preferential allocations to small and cottage industries
* Lack of appropriate skills and absence of entrepreneurship zeal.
* Lack of appropriate technological improvement, product development and standardization
* Absence of basic information and data about small industries that could help planning in their sub-sector
* Inappropriate exchange rate policy which was biased against small scale industries

To promote the small business and entrepreneurship from its current stagnant position the government policy should further be modified in the following direction.

(a) The rural Bangladesh suffers from a serious linkage problem due to underdeveloped transport and communication system For entrepreneurship development and for the development of any type of productive enterprise proper market link-up is a basic factor Careful attention of the government is needed for development of transport and communication system in rural area.

(b) Existence of support services e g water, sewerage, power, gas, counselling and the like are essential requirements of a favourable environment for entrepreneurship development. But the support services are not adequate even in urban areas and either extremely limited or non-existent in rural areas

Support services deserve careful attention from the government

(c) To help the promotional agencies in identifying genuine entrepreneurs and to attract young people towards entrepreneurship a profile of successful Bangladeshi entrepreneurs needs to be prepared. The profile will embrace not only the characteristics of successful entrepreneurs but also their experiences

(d) In all foreign aid proposals, emphasis should be given on research and technology transfer to small enterprises and better utilization of our indigenous natural and human resources

(e) There is an emerging school of thought which believes that inherent entrepreneurial abilities can be developed through an educational system incorporating entrepreneurial values and behavioral norms in its curriculum Such orientation from the early stage of education is likely to result in creating an attitude toward entrepreneurship and a new level of entrepreneurial consciousness Our existing educational system have failed to develop respect for entrepreneurial work and generally orients the youth towards stable, conventional carrier Therefore, a meaningful change of the curricula of the education through inclusion of entrepreneurship courses at schools, polytechnics and colleges is urgently needed

(f) At the governments end, all endeavour should be made to prepare a portfolio profile as early as possible This will attract many youth to whom entrepreneurship means opportunity and freedom and will enable many to do cost benefit analysis against conventional career with fixed benefit vis-a-vis entrepreneurship with unfolding future.

(g) Extensive research on entrepreneur education and self-employment should be encouraged to identify the problems and needs of potential small entrepreneurs and new ventures and device appropriate strategy for developing both the entrepreneurs and small enterprises

Other suggestions for development of entrepreneurship and small business are as follows .

- Trade fair of small business products may be arranged on regular basis for recognizing and rewarding innovations and efficiency as well as for giving exposure through mass media
- Import and excise duties in case of raw materials exclusively used by the small and cottage industries may be waived
- Inflow of competing foreign goods (through any outlet) produced by the small business may be restricted for a period of time to allow such ventures to become mature and competitive.
- Working capital loan requirement for small business may be provided on a preferential basis and on easy terms, repayable on easy instalments
- Procedures for getting licenses, permits may be relaxed

7. Conclusion

From the discussion on various problems encountered by the small business sector, it may be concluded that implementation of the current Industrial Policy (1991) although oriented towards Laissez faire economy has failed to remove most of the obstacles inhibiting development of small enterprises and entrepreneurship as planned and targeted as policy goal The main causes for its failure may be attributed to :

(a) general negligence of service and business outlets for small enterprises, which are considered to be the major component of small enterprises in an economy ,

(b) not properly articulated and vague pronouncement on some related matters such as import of inputs, protection, linkages, technology upgradation, training, the state of reservation, and the state of non-tariff consideration etc in respect of the small enterprises.

As such the current industrial policy needs to pronounce explicitly the position of policy makers on the above mentioned aspects and its continuance and effectiveness in order to ensure development of institutional and policy environment for promotion and sustainability of small business and entrepreneurship in Bangladesh

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traders of dry fish and salt' when the district was ceded to the Company in 1760. Chittagong as a port began acquiring significance again from 1760 but at a very slow pace. With the rapid eastward shifts of the Ganges channels and with the growth of commercial crops like jute, tea, tobacco and sugarcane in eastern Bengal the port of Chittagong rose up again from its slumber and began to play significant roles in the economy of the country from the 1850s Its upturn trend had continued ever since and to-day it stands out pre-eminently among the family of world ports.

Misbahuddin Khan's source book—*Records of the Commissioners of the Port of Chittagong*, tells in the form of primary documents the story of the growth of the port from 1884 onward. The story begins with a prefacing document assigning of revenue of three ferries to the Chittagong Municipality in 1865 It gives an insight into the early relation between the port authorities and the Municipality. The documentary narrative of the growth of the port in size, management and facilities begins with two memorials (1884) submitted by a captain of a ship lying in the port and several rice trading European farms of the port town. The memorials deal with many issues of the port such as, 1. The approaches to the port, 2 The river, 3 Moorings, 4 Jetties, 5. Water supply, 6 Medical attendance, 7 Foreshore, 8 Postal and telegraphic arrangements, 9. Port charges, 10. Drunkenness, 11 The Moheshkhali creek These indicate as much the socio-economic scenes of the region as the conditions of the port.

In all eighty-three documents have been selected for the period from 1884 to 1900 and these have been classified under seven chapter-heads. To catalogue them numerically, 1 Documents prior to the formation of Port Trust (6 docs), 2 Improvement of the Port of Chittagong (one large doc), 3 Formation of Port Trust (42 docs), 4 Hospital Port dues fund (14 docs), 5 Execution of contracts (4 docs), 6 Merchant Shipping Act (8 docs.) and 7. Miscellaneous (8 docs).

As is gathered from his life-sketch on the back-cover of the book Misbahuddin Khan, the compiler of the documents, had passed almost the whole of his active career in the Port of Chittagong as an integral part of its administration and management and he had been the most active participant in the affairs of the port throughout his career. As an active participant he had thus unique opportunity to see the port-life from

within and also to be in the closest acquaintance with port records. The outside world had never known before that the port archives contains so old records of historical value Selecting the important records from the piles of dusty records of all sizes and qualities is not an easy job It is a good luck for maritime scholars that the compiler has made these otherwise lost records accessible to them. Temporally, his selections run from 1884 to 1947 and all the selections have been planned to be published by the Chittagong Port Authority in twelve volumes of which the present one is the first in the series.

This is a book which gives scholars access to primary sources which remained closed to them for last hundred years Documentation study in Bangladesh is practically absent I understand, documentation, as a craft, is basically an area of Library Scientists and Archivists, not of mundane scholars Our district collectorate record rooms (*muhafezkhana*), district judge record rooms, High Court record rooms, registration department and other government offices including municipal offices have old records of tremendous historical value But all these records, through neglect and carelessness are faced with destruction Dhaka Municipal Record Room is a case in point. Records and rare collections dating from 1860s are all piled and heaped in total carelessness in one unsuitable room It is already too late to give attention to their preservation And in this, it is the National Archives which can come forward to save these national treasures

Our present compiler has rendered a yeoman service by salvaging the records of Chittagong Port and presenting them to us in printed form. The port records that he has brought into light were practically unknown to us until his book on *History of the Port of Chittagong, volume 1*, (1990) and volume II (1993) were published. The two books which have drawn evidence from the port records indicate how important are these records for the maritime history of Bangladesh. Hitherto no other writer has ever used port records. The writers who dealt with Chittagong Port before depended only on the printed reports now preserved at the India Office Library, London. But using proceedings of the Port Authorities in writing about the Chittagong Port was never thought of before Misbahuddin Khan.

The first volume (*History of the Port of Chittagong*) tells the port's development in administration, finance, shipbuilding, navigational

channel, port facilities, trade and commerce 1888 to 1900 The book is packed with statistical information and other evidence which make the history of Chittagong Port and the region much clearer than ever before. The second volume gives an authoritative narrative of the impact of the growth of Calcutta Port on the Port of Chittagong. The volume also deals with administration, finance, conservancy, facilities, trade, and their development keeping in view the changes in structure of world economy and communication and technological development in shipbuilding and port management.

By presenting the record series and the record-based book on Chittagong Port Misbahuddin Khan has made a magnificent contribution to the historical and archival literature of our country It is, indeed, unique that this massive academic output, the result of arduous labour and patience, has come forth from a person who is professionally not an academician or archivist Port administration and management was his lifetime occupation The intellectual rigour that we find in his book and in his selection of records, certainly demands our admiration and high esteem for him. For researchers and for the nation he has done a service which was not normally expected of him Let the professional scholars and documentation-people take note of Misbahuddin's work. Of late the author, as we know, is also serving the country as an influential member of the Parliament. His diverse interests and extraordinary performance in every field he traversed reminds us of the classical intellectuals of olden times simultaneously indulging in many disciplines and yet coming out with extraordinary success

Lastly, I must mention with regret that proof reading of such important works should have been taken more seriously. When ship becomes 'shop', and train becomes 'drain' and when the whole text is pervaded by similar oddities the readers cannot but get utterly frustrated. The period of the first volume is from 1888 to 1900 and that of the second volume from 1888 to 1947 Readers will fail to understand how the second volume begins from the beginning of the first volume of the same series But they should not be misled by the title page The introduction and contents will show that the second volume actually begins logically from 1900, the end of the first volume. This overlapping of periodization in the title page of second volume should not have really occurred

Furthermore, the contents of the first and second volume are more or less the same, at least the chapter heads. If so, why two volumes ? The second volume (468 pages) is almost four times bigger than the first one which is only one hundred pages. For the sake of integration and coherence of subjects dealt with in the book it should have been organized systematically in one volume. After all, it is not the number of volumes but solidity and soundness of contents which the readers are interested in. A writer of Misbahuddin Khan's genre must not step into the shoes of those flamboyant authors who tend to go for publishing titles for title's sake (just to impress upon the less serious generality). The first volume of the record series is only of one hundred pages like the first volume of the book. Instead of going for stretching the number of volumes the selected records may conveniently be organized in fewer volumes of a little larger size. Such a plan will be convenient for users and collectors, on the one hand, and less expensive for the publishers, on the other.

SIRAJUL ISLAM

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Kamal Siddiqui (edited), *Local Government in Bangladesh*, (Revised Second Edition), Dhaka : University Press Limited, 1994, ix+361. Price Tk. 250

Bangladesh like many other developing countries has followed the recent global trend towards decentralization of the administrative structure of the central government and strengthened local institutions During the recent years there has been a wide variety of academic discussions on democracy, decentralization and local level governance in Bangladesh Political parties both in power and opposition have categorically emphasized the need for "democratic governance at the grassroot level" In the midst of the local and regional interests and emphasis on local level governance, the book edited by Dr. Kamal Siddiqui is indeed an excellent academic contribution.

This book is a revised edition of its earlier version published in 1984 The revised book covers different important aspects of the local government in Bangladesh, namely evolution, structure and composition, functions, finance, national-local relations, personnel administration and major issues that affect the role and functions of local government. In the concluding chapter the authors present a synoptic overview of the major trends in Bangladesh local government system. This revised volume is no doubt a definite improvement over the first edition both in terms of quality and quantity. The authors have incorporated so many changes that have taken place in both political as well as local government sub-system of Bangladesh The authors have meticulously taken the stock of most of these changes.

The book has nine chapters Chapter one provides an overview of the local government system in Bangladesh Chapter two presents a historical account of the evolution of the local government system in Bangladesh This chapter provides an illustrious account of the evolution of the local government system starting from the period of ancient Bengal to recent era Chapter three provides the description of structural arrangement and institutional composition of the local government system in Bangladesh This chapter is followed by a comparative over-

view of the structural composition of different SAARC countries. Chapter Four presents an elaborate discussion on the func-tions of the local bodies. It also portrays different aspects of government orders and ordinances that delineates the functional coverage and scope of activities of the local bodies in Bangladesh The detail process, practices and legal framework of local government finance is presented in Chapter Five The system of local level accounts and audit have also been discussed in this chapter Chapter six presents the descriptive overview of personnel system of different tiers of local bodies in Bangladesh It highlights the rules and regulations that govern the per-sonnel system at local level. Chapter seven presents a critical analysis of the relationships between the national and local government in Bangladesh This chapter examines different areas of interaction between local government and the national government covering legal, operational and financial matters as well as control and supervision by the national government. Chapter eight is perhaps the most important chapter of the book which presents as many as forty two issues and problems

In an age marked by democratic control, decentralization of administration, "local-level participation in planning and "bottom-up" development against the backdrop of the increasing difficulties faced by central governments in implementing development programmes and delivering essential services, the importance of local government need is hardly overemphasized" (p-6) Local Governments, as the authors noted, "contribute to diffusion of power, national solidarity and democracy by promoting diversification and democratization of political activity, setting themselves up as additional centres of political experience by affording excellent opportunities for the common people to participate in the management of public affairs, and by acting as a safety valve, letting off steam at the local level" (p. 7).

The authors have looked into the forms and functions of local government taking in view the five essential attributes . Firstly, its statutory status, secondly, its power to raise finance by taxation in the area under its jurisdiction ; thirdly, participation of the local community in decision making in specified subjects and in administration; fourthly, the freedom to act independently of central control, and lastly, its general purpose, in contrast to the single-purpose character of many autonomous bodies," The authors have also outlined

the broader coverage of the local government bodies by advocating that "local governments not only efficiently take up some of the development functions like sanitation, public health, primary education, social welfare but also play a supporting role during the national government's formulation and implementation of over-all national plans and policies" (p. 7).

One of the most useful chapters of this book is Chapter Four. In this chapter the authors have adequately illustrated the four major theoretical schools of local government, namely liberal-democratic, economic, radical elitist and Marxist. This chapter is an excellent contribution in theorizing as well as conceptualizing the structure and function of local government as a system. These theoretical frameworks provide an excellent opportunity to local government researchers with "a comparative perspective and conceptual understanding for the development and testing different hypotheses". The theoretical chapter also provides a review of definition and typologies of local government. This chapter thus provides the young researchers a thorough conceptual framework in understanding the critical issues that characterize the local government system.

The chapter on evolution of local government in Bangladesh has been enriched with the addition of new historical records of ancient and medieval Bengal. The authors noted that as far as local level administration is concerned, the Indian sub-continent has an illustrious past. Local Government had been a basic form of government in the Sub-continent till 6 century B. C (p 25). Some researchers have argued that local government bodies have a glorious historical legacy in this part of the Indian sub-continent Kamal Siddiqui and his co-authors have negated the argument and noted that local government bodies designed in line with the Central and South Indian model possibly never existed in Bengal and other eastern part of India The authors of this book have made an objective assessment of the claim and noted that from a historical perspective it was "not much known concretely about village self-government in ancient Bengal, particularly in eastern parts constituting present day Bangladesh" (p 28) The authors have rightly noted the reason as to why indigenous local government bodies did not develop in the eastern part of India They have argued that "given the

relative abundance of water, a high degree of internal migration, temporary and scattered nature of human settlements and isolating influence of annual floods on village households, a tightly knit village government was highly unlikely to have developed in eastern Bengal" (1. 29).

According to the authors, the *Panchayet* or the council of five was perhaps the forerunner of the local government system in ancient Bengal Nevertheless, such an indigenous institution could not survive due to the transplantation of the institutional models by the British colonial rulers during the later part of the eighteenth century.

In the post independent Bangladesh, the successive governments have simply twisted the inherited local bodies to suit into their political needs.[1] The authors thus noted that "the dominant faction in the central power structure makes suitable cosmetic changes in the "format" of local government in order to exclude the rural rich faction loyal to the earlier regime and to usher in a new faction from among the rural rich into the local government to serve as its loyal proteges and clients in the countryside" (p 315) Such frequent changes in the format of the local government have obviously destabilizing effects In fact, the cosmetic changes in the format of local government seem to be directly related to the strength of the power base of the government of the day If one looks into the chronological developments in the institutional evolution of local governments in Bangladesh, one would find that more local level democratic institutions have been dissolved than that of creating or remodelling new ones There seems to be a lack of consensus among the national political parties regarding the role and functions of the local bodies in Bangladesh Due to such frequent changes and experimentation, the institutions have suffered and could not take a permanent and viable shape, resulting in the following i local bodies could not get an institutional shape, ii. they failed to achieve political credibility; iii. gradual emergence of local level leadership was disrupted, iv. a chain link with national political process has been disturbed

Elaborating the role of rural and urban elite in the local level governance the authors concluded that "as elected local government functionaries, the rural rich are least expected to mobilize domestic resources since the existing local tax arrangements would hurt them

most. Consequently local government bodies are chronically dependent on national government grants, and this in turn further reinforces the dependency relationships between local government bodies and the national government. Local government bodies in Bangladesh under the present legal framework is neither "self-governing" body nor a viable form of "government". These could simply be branded as extensions of the national government with guided local participation These pseudo local government bodies have been politically exploited by the national leaders Institutionally these bodies are weak, poorly managed and do not have political credibility.

In the final chapter the authors have concluded that the local government system in Bangladesh can be characterized as follows .

1. domination by and complete dependence on national government;
2. highly inadequate mobilization of local resources ;
3. total exclusion of and lack of participation in local government bodies by the rural poor ,
4 marginal commitment to devolution/decentralization in practice.

Analyzing the trends of political scenario and the dynamics of the local level politics, the authors thus forecast that "the existing status-quo will breakdown in the face of the rise in the power structure of the productive urban and rural rich and the greater mobilization of the poor in both electoral and non-electoral terms This will happen in addition to local government reforms There are other thorough going political reforms to ensure a change in the content of local governance" (p. 316).

Chapter eight, which is perhaps the core of the book, has identified as many as forty two different operational/functional problems and substantive issues that affect the role and performance of the local government in Bangladesh The authors have very candidly identified the critical issues of local government in the light of political, social and economic milieu of Bangladesh The issues identified are indeed very pertinent at a time when Bangladesh is in a process of major reforms of the local government system. This section would thus provide the reform agents with some conceptual and operational guidelines

Empirical findings indicate that by the time of its abolition, Upazila had become a well rooted machinery of the Local Government institution in the peripheral Bangladesh. Kamal Siddiqui and his co-authors seem to have opted for a neither *pro* nor *anti* stand and thus have avoided the critical aspects of the emergence and consequent role of the Upazila as an institution for local level governance Thus the analyses and observations drawn on the role of the Upazila appear to be one-sided and not empirically sound This has to a great extent undermined the objectivity of the research as well as the researchers.

As a matter of fact, local government as an area of research has drawn the attention of several researchers in Bangladesh A recent bibliography has compiled as many as 230 different empirical research works on various aspects of local government and politics in Bangladesh [2] In the analysis of the issues covered in the chapter entitled *Local Government in Bangladesh : Major Issues and Problems*, authors seem to have overlooked the findings and observations of various recent studies. An appropriate review of the findings of these studies would have further strengthened the observations and generalizations drawn by the authors

It is by now empirically established that the weakest aspect of the local government is its personnel management system Chapter six of the book presents a mere description of the personnel system In dealing with the chapter, the authors neither identified nor did make any attempt to illustrate the critical factors that contribute to the weaknesses of the local government personnel system This chapter of the book, for that matter, has failed to provide any perspective to the readers.

In chapter seven, the authors have presented a descriptive overview of the relationship between Central Government and Local Government In fact, the authors have not adequately substantiated their observations with sufficient empirical findings or specific case studies

The book presents quite a comprehensive bibliography However the bibliography seems to be an incomplete one A good number of significant and well acknowledged empirical research works have not been incorporated The editor however records his sincere optimism to

bring out yet another edition of the book that would incorporate recent analysis and update information.

Most of the research on local government in Bangladesh are merely descriptive and generally offer some vague prescription for institutional redesign These studies mostly have been based on traditional approaches and the researchers to a great extent have failed to expand into new areas and critical methodological issues As a result policy makers could not make the optimum use of these research findings as one critical observers notes that "these contain mere restatement of facts without adding to the existing knowledge".[3] Dr Kamal Siddiqui's book has indeed added newer dimensions towards the body of literature on local government in Bangladesh This book will indeed be a valuable chronicle not only for the academicians but also for the professionals, advanced researchers as well as reform agents

The most important and admirable aspect of this book is its comparative dimension The authors, very carefully, wherever possible, have portrayed the South Asian dimension. A regional comparative perspective presented in this book would encourage the readers to nurture their thinking in a broader spectrum

SALAHUDDIN AMINUZZAMAN

Notes

1 Salahuddin Aminuzzaman, "Local Government and Administration in Bangladesh—State of the Art", *Asian Profile*, Vol 21, No 3, 1993, 247-68

2 Salahuddin Aminuzzaman, *Studies on Local Government and Administration in Bangladesh 1980-1992 A Selected Bibliography*, Dhaka Department of Public Administration, University of Dhaka, 1992

3 Ahmed Shafiqul Hoque, , "Examination of Local Government Research trends in Bangladesh", *The Journal of Local Government*, Vol 17, No 2, 1988, 16-32

J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No. 1, June 1994

Ali Ahmed, *Ombudsman for Bangladesh*, Academic Publishers, Dhaka, 1993, ISBN 984-08-0086-8; pp 68+2 (preface) + 2 (bibliography), Price Taka 75.

I am inclined to believe the assertion made in the write-up on the jacket of the book that this is the first book on the subject by a Bangladeshi author. I have not yet come across any other work done by any other scholar of our country on the subject of Ombudsman In this pioneering work in the country, the author makes a plea for the implementation of the statutory provision for the establishment of the office of Ombudsman for Bangladesh for the sake of ensuring transparency in administration and bureaucratic accountability and integrity.

The work opens with a candid survey of the past and the present state of administration and the bureaucracy in the country, which presents a dismal picture. The title of the chapter, 'Lack of Administrative Integrity in General', epitomizes the contents. The author makes use of the deplorable state of administration, as it comes up in the survey, as a plank and rationale for his plea. In this survey he holds the continuance of the colonial model of administration and the colonial attitude and mentality of administrators responsible for the present state of affairs. He makes pointed reference to the autocratic Ershad regime as the period of increasing bureaucratic intransigence, insolence and authoritarianism. During this period, 'unlimited and undefined discretion [conferred on bureaucrats] created virtually a jungle of administrative lawlessness, corruption, inefficiency and despotism' (p.2) On the other hand domination of the administration by the civil services, particularly by a coterie of senior administrators occupying key positions, has turned the administration not only 'corrupt' but also into an 'engine of oppression' for their subordinates and the public at large (p 2). The author also draws his readers' attention to violation of due procedural process, disrespect, if not contempt for process cover-up, hindering development programme and social changes and development by bureaucrats in the administration He further states that corruption of all sorts ranging from monetary gains, tampering with official records to abuse of official position for personal gains are still widespread in all government

departments, corporations and autonomous institutions. He sums up : "To-day the anachronism is that incorruptibility has come to signify an oddity in character, making the scrupulous and honest person virtually a pariah in his circle of friends and associates An administrator who is not known to have acquired a vast fortune is singled out for administration as some kind of ascetic" (p 7). The anguish, frustration and helplessness expressed in these words probably generally form a representative view of the public ; on the other hand he may also incur the ire of the target group, partially or wholly.

The author is aware that the best solution to the monstrous situation in administration probably lies in reform or re-structuring of the rotten colonial framework of the services and in doing away with all vestiges of the colonial legacy in the services But that will entail time To his mind, the establishment of the office of Ombudsman will be a salutary measure both for the interim period and also in the long run

In chapter II, the author examines 'Existing Formal Means' in various countries, with pointed reference to the UK and the USA, ensuring bureaucratic accountability. They include legislative, administrative and judicial control on the bureaucracy in the administration. And although these modes of control are also there in Bangladesh, they are too inadequate and cumbrous to achieve the desired goal It is argued in this chapter that the establishment of the office of Ombudsman alongside the prevailing mechanisms of control will help improve the situation without clashing with the existing means

Chapter III deals with the concept of Ombudsman*, its origin, development, function, power etc in Sweden, Finland, Denmark and Norway It also deals with the office of Parliamentary Commissioner in the UK and refers to watch-dog junctions of procurator's in Poland and former Soviet Union.

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* Ombudsman is a state official entrusted with wide power by the legislature to intervene in the bureaucratic and the administrative process in the interests of individual citizens whose complaints he/she investigates This institution originating in Swedish practices as early as 1809, was adopted by Finland in 1919, Denmark in 1955 and by Norway in 1963 This was copied by Israel (1950), by Newzeland (1962) and by Great Britain (1967), although not in the same form

The author claims in the preface that most important of all the chapters in this work is chapter IV. Allegorically speaking it is the heart of the work. He reviews the statutory provision in the constitution of Bangladesh with regard to appointment, tenure of office, qualifications, removal, jurisdiction, functions and removal of the Ombudsman. He generally agrees with the provisions, of course, with some suggestions for minor alterations and additions Readers should read this chapter with due attention The author fully endorses the provision of appointment of the Ombudsman by the President on the recommendation of the Parliament, but he thinks that the tenure of his/her office should be for 5 years (i e. equal to the tenure of the Parliament) instead of 3 years as provided in the Act XV (1980). With regard to qualifications the Act provides that 'the Ombudsman shall be a person of known legal or administrative ability and conspicuous integrity' The author with cogent logic suggests that here the word 'or' should be replaced by the word 'and', He has also suggestions for wider jurisdiction for the Ombudsman then provided by the Act XV. In chapter V, the author emphasises on the necessity of having a research cell in the office of Ombudsman This appears to be an appropriate suggestion.

But whereas the Act XV is yet to see the light of the day out of the statute book, more important than these suggestion at the moment is his plea for the implementation of the Act as soon as possible Better still if the implementation of the Act goes hand in hand with the modifications suggested.

This work is informative for general readers It serves a great purpose in creating a public awareness, albeit among the elite of the country about the concept and use of the office of Ombudsman, which is still a little known thing in the country It is true the office of Ombudsman, if and when created, alone cannot work as a panacea for all bureaucratic excesses. But alongside other mechanisms, it can serve useful purposes There may be some reactions in certain quarters about certain very generalized observations about the present state of administration and the bureaucracy made in the work but they are not far away from general impressions

The author is quite aware about the limitations of his work In the preface he has mentioned that the subject needs to be further developed,

elaborated and refined. Research for this work is inadequate. The author has the honesty to admit that. We hope the subject brought into public focus through this work will be developed further by the present author. It may also generate interest in its readers for further development. Even with the stated limitations of the work, the author deserves our appreciations.

BAZLUR R. KHAN

Sk. Abdul Latif, *The Muslim Mystic Movement In Bengal, 1301-1550* (K. P Bagchi and Company, Calcutta- New Delhi, 1993), pp. 129, map, Rs. 150/-

Originally a Ph D thesis submitted to Aligarh Muslim University, the book is an addition to the literature which has been growing for quite sometime around Sufism in medieval India and Bengal The periodization chosen for the study of the Muslim mystic movement in Bengal, as limited by the terminal dates 1301 A D and 1550 A. D., is an arbitrary one These two dates are in no way significant in the history of Bengal With an introductory section devoted to several miscellaneous items such as socio-religious institutions of the Sufis, Bengal's contact with the greater Islamic world, influence of the Chishtiya order in eastern India and the Persian and pseudo-Sanskrit sources utilized for preparing the monograph, the book divided into seven chapters, goes on to discuss the expansion of the Muslim society, trace the establishment of the Chishtiya and other mystic orders and their relations with the state, indicate the impact of the Sufis on the cultural and religious life of Bengal and delineate on the Bengal Sufis' teachings and precepts mainly on the basis of original Persian sources Thus the scope of the study is quite wide But the author has not shown an awareness of the wider historical perspective against which the Sufi movement was gaining ground in Bengal Sufism originated outside the Indian frontiers and in the course of several centuries had its ramifications in the different regions of the subcontinent Thus Bengal Sufism cannot be studied without reference to the all-India context. The author could have given in one of the initial chapters at least a brief survey of the different Sufi orders and their philosophical ideas, as they obtained in other parts of India, indicating how and under what conditions they reached Bengal.

The author has not devised either a proper theoretical framework for his study which could have answered most of the sociological problems connected with Bengal Sufism. The role of the so-called "warrior saints" has been discussed by several writers in a traditional way with the writer of the monograph toeing in the line. It may be mentioned in this connection that this particular topic and many other relevant ones find

an elaborate exposition in Dr Enamul Haq's book *A History of Sufism In Bengal* (Dacca 1975) which the writer has failed to consult As a matter of fact, it is necessary to distinguish these fighters of Islam from the Sufis who had settled down in their *khanqas* to function as preachers or live as *gaddinashin pirs* enjoying the spiritual power supposed to have been communicated by their familiar or linear ancestors and the mundane advantages conferred upon them by the state and their devotees These warriors moving at different times in the military arena of Bengal figured in history when a process of territorial expansion was going on in eastern India under the aegis of the newly established Muslim rule. They fought at the Bengal frontiers quite relentlessly and won victories against the non-Muslim rulers which undoubtedly strengthened the material and moral base of the Muslim state. It can hardly be proved that they possessed spiritual qualities to be found among the Sufis who had gone through the process of an elaborate mystic discipline that conformed to a set of conventional ideas and practices But "the warrior saints" began to be venerated as *pirs* long after their death when their tombs had been transformed into places of pilgrimage and these deceased warriors into revered mystics Probably under the aura of the sacredness which surrounds these semi-legendary beings scholars also categorize them as Sufi saints. Thus the tendency for idealization preponderates over academic propriety and rational thinking

Naturally a considerable portion of the book has been devoted to the biographical sketches of the Sufis and their shrines which have been discussed by some other scholars as well. Some of these Sufis were not connected with Bengal. While detailing the activities and ideas of the Sufis the author has at times drawn creditably upon such fifteenth or sixteenth century sources as the *Munis-ul-Fuqara, Anis-ul-Ghuraba,* the *Maqtubat* and the *Gulzar-i-Abrar* which the earlier writers on Bengal Sufism either missed or sparingly used. In the chapter on teachings of the saints of Bengal he has succeeded in analyzing some of the components of the spiritual discipline of Bengal Sufis primarily on the basis of the writings of Nur Qutb Alam. The tenets contained in this section, though practised by Chishtiya Sufis, cannot perhaps be attributed to the Sufis of other orders obtainable in Bengal Even with this limitation the section is of value

In Chapter 4, "The Sufis and The State", the author has narrated details about a few Chishtiya and Firdawsia Sufis' relations with the contemporary rulers of Bengal without properly explaining the motivations underlying their attitudes and activities He does not accept either the view that the conflict between Shaykh Alaul Haq and Sultan Sikandar Shah was due to the former's interference into the state affairs. It has been argued by a scholar that some of the Bengal rulers viewed with concern Bengal Sufis' organizational relationship with the Sufis of northern India For the rulers of Jaunpur and Delhi might take advantage of this connection with a view to jeopardizing the secular state policy adopted by the Bengal rulers. That the liberal administrative policy was disfavoured by the *Mashaykh* is amply demonstrated by the letters addressed by Muzaffar Shams Balkhi to the contemporary Sultan Azam Shah urging the latter to adopt a less tolerant policy towards the Hindus But the entire Raja Ganesa affair together with the reaction of the Sufis and the Raja's deliberate policy of persecution brought to bear upon the *Ulama* and the *Mashaykh* has been interpreted by the writer in terms of Islamization countered by the Hindu elitist opposition.

While indicating the impact of Sufism on Bengali culture the author advocates the hypothesis that the love epics of Yusuf-Zulaykha and Layli-Majnu composed by Shah Muhammad Saghir and Daulat Wazir Bahram respectively, the *Rasul-Vijaya* of Zaynuddin, the *Ghazi-Vijaya* and the *Jainaber Chautisa* of Shaykh Fayzullah have all come into being under the influence of the Muslim mystics He has thus oversimplified the complicated problems connected with the growth of Bengali literature The author enthusiastically remarks

> Their works popularized the subjects of Muslim learning on the one hand, and created an Islamic literature in Bengali, of a range and scope *not found in any other Indian language of the time* (p 74) (italics mine)

How can we then explain the existence of the entire corpus of the medieval Hindi-Awadhi romances and the Dakini Urdu literature which grew in the northern and southern regions of India under the direct impact of Islam ?

The title of the seventh chapter, "The Sufis And The Bhaktas", suggests that the author will discuss the impact of the Muslim saints upon the non-Muslim mystics of different hieratical persuasions or

their mutual relationship But as we go on to peruse the details our expectations are belied and we come across a variety of themes accommodated within the small section A passage of the *Sunya Purana*, generally captioned as *Niranjaner Usma* (wrath of the Spotless one) has been pursued to convey the idea that "certain sections of the Hindu community" had reasons to welcome the Sufis at the cost of the Brahmins and that the Perso-Arabic loan words appearing in the same text indicate that Muslim religious concepts were communicated to the Hindus through the Muslim saints Without dilating upon the sociological significance of the *Niranjaner Usma* it can be asserted with an amount of certainty that the text in question has no relevance for the Sufi impact on any indigenous community Although the author deprecates in the Preface "legendary material" as thoroughly unacceptable he relies upon legends contained in the *Seko Subhodaya* and regards it as a genuine source of information about Jalaluddin Tabrizi's miracles and their impact "on the common man of Bengal" He goes on to cite similar legendary material in support of the contention that some of the Sufis and at least one Bengal Sultan married Hindu women Instead of listing the names of a number of Sufis responsible for the spread of Islam in Bengal the author could have explained the process of conversion with due emphasis on the socio-economic variables including the role of the Sufis, which initiated and accelerated it. It may be difficult to substantiate the view that an ancestor of Kirtibas had to migrate to the western region of Bengal owing to the increasing Muslim impact in the east. The author seems to have misquoted a passage from Kirtibas' poem to lend support to his contention He seems to have failed to connect the miscellaneous contents, as enumerated above, with the Sufi movement and indicate how one can connect the chapter-heading with the text when they have no mutual correspondence The section on the Kartabhaja sect, the cults of Satya Pir and Panch Pir and the Chaitanya Vaisnava movement prepared on the basis of several obsolete secondary sources, does not enrich our knowledge. It has been asserted that originating from "the social contact of the Hindus and the Muslims" these cults reveal "the blending of Hindu and Muslim ideas " It has nowhere been indicated how far the Sufis or the Bhaktas were instrumental in starting the process of blending Inclining completely on the Urdu translation of Dr Enamul

Haq's *Muslim Bangla Sahitya* the author holds, "There is a considerable body of *Yoga* literature in the Bengali language produced by Muslim scholars . . .". An analysis of the contents of this literature would amply illustrate the nature of the syncretic movement then in progress in Bengal. The author does not know that long before the *Bahr-ul-Hayat*, the Persian translation of the *Amritakunda*, made by a disciple of Muhammad Ghaus Gwaliari, there existed an Arabic version of the same text called *al-Mirat-al-Mani fi Idrak al-Al`am al- Insani* (Mirror of Spiritualism for Knowing the World of Humanity) which was prepared presumably in the early part of the thirteenth century A D. The contents of the Bengali yogic poems mentioned by the author bear striking similarity to those of the *Amrita-Kunda* as obtainable in the extant Arabic and Persian recensions of the Sanskrit text.

The book has failed to present a coherent account of the growth of the Sufi movement in Bengal But the rich variety of materials abounding in it can be profitably used by writers working in identical fields of investigation.

M. R. TARAFDAR

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(HUMANITIES)

EDITOR

HARUN-OR-RASHID

ASIATIC SOCIETY OF BANGLADESH

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J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No. 2, December 1994

CONTENTS

Ethnicity, Religion and Nation-Building : The Case of Bangladesh
Harun-or-Rashid 1

The Eighteenth Century India : A New Look
Shaan Noman 15

Hindu Marriage . Dimensions and Perspectives
Kali Prasanna Das 35

Calligraphic Ornamentation of the Quwwat Al-Islam Mosque : An observation on the Calligraphy of the Screens of Qutb Al-Din and Iltutmish
Shah Muhammad Shafiqullah 61

Mainamati Copper Plate of Sri Viradharadeva
Swapan Bikash Bhattacharjee 71

Participation in the Local Government in Bangladesh · Whose Access ?
Mohammad Habibur Rahman 77

Decline of Weberian Bureaucratic Model : A Review
Sharif Nafe As-Saber 93

The Dharma Cult and Muslim Political Power in the Light of Some Medieval Bengali Poems
Mamtazur Rahman Tarafdar 105

Caste and Social Mobility in Pre-Colonial Sri Lanka
P. V. B. Karunatilaka 113

Independence of Judiciary in the Third World · The Case of Bangladesh
A. B. M. Mafizul Islam Patwari 131

REVIEWS OF BOOK

Nariaki Nakazato, *Agrarian System in Eastern Bengal*, c. 1870-1910
Sirajul Islam 159

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ETHNICITY, RELIGION AND NATION-BUILDING : THE CASE OF BANGLADESH

HARUN-OR-RASHID*

1. Introduction

Ethnicity and religious diversity are perhaps a common characteristic feature of the existing state system The making of a nation out of diversities is an awefully slow and complex process. In this endeavour most of the countries in the world even today are facing challenges from opposing ethnic, religious, linguistic-cultural and other loyalties The situations thus arisen ranged from periodic communal violence, riots, autonomy movement to war and secession Theoretically, the role of the state is to create a higher political culture pervading all parochial or provincial loyalties. However, sometimes the policy of the state itself, paradoxically, contributes to give rise to conflicting situations involving such loyalties

Bangladesh (South Asia) is possibly one of the few most homogeneous countries in the world. Yet it is experiencing more or less same kind of challenges in its nation-building process Indeed the struggle of Bangladesh was fought in the name of 'Bengali nationalism'. There was nothing then like religious or ethnic divide. Today it has both : the tribals of the Chittagong Hill Tracts (CHT) are fighting for provincial/regional autonomy, while the religion of the majority community, Islam is given an official role and status alienating others.

The principal objective of this paper is to deal with ethnic and religious conflicts in Bangladesh focusing on the following aspects : How did these conflicts originate and develop ? What are the issues and dimensions ? How does the state respond to these ? In other words, what is the role of the state ? What are the problems and prospects involving conflict resolution ? An attempt will also be made to suggest policy recommendations.

2. Ethno-Religious Profile

A. Ethnicity

Of Bangladesh's 106 7 million population 98 7% are Bengali (religion—Islam and Hinduism, Language—Bangla) and the remaining

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1 3% are hill people and tribals of whom 61% live in CHT (5093 sq. miles or about 10% of the country's total territory of 55,598 sq miles) located in south-eastern corner bordering India and Myanmar (Burma).

Comprising a population of 6,000,000 or ·56% of Bangladesh's population but 60% of the 1,000,000 CHT population (race—Mongolian Sino-Tibetan descent ; religion—Buddhism, Christianity, Hinduism, animism , language—various dialects ; cultivation—shifting on the hill slopes called 'jhum') the tribals of the CHT[1] are posing a serious challenge to the country.

B. Religion

The religious breakdown of the country's population is as follows 88 3% Muslim, 10.51% (11.178,866) Hindu, 0.58% (623,410) Buddhist, 0,32% (346, 062) Christian, 0.26% others.[2]

3. Growth of Conflicts : Background, Issues and Dimension

A. Ethnicity

Although the tribals of the CHT were badly affected (40% of cultivable land inundated affecting 100,000 people) by the construction of a massive hydro-electric dam at Kaptai (1957—1962) during the Pakistan period, they did not rise into open rebellion until Bangladesh was created [3] The denial of some kind of autonomous status as enjoyed under the Chittagong Hill Tracts Manual, 1900 (a crucial document in the contemporary debate) and the policy of homogenization pursued by the Sheikh Mujib government (1972—1975) through the instrumentalities of 'Bengali nationalism' and a unitary state structure led the hill people to found their organizations of resistance called the 'Parbatya Chattagram Jana Sanghati Samity' (People's United Party, hereinafter JSS) in 1972 and its armed wing, paradoxically called, the 'Shanti Bahini' (meaning Peace Corps, hereinafter SB), a year later

However, the tribal question took a serious turn while the successive military regimes headed by General Ziaur Rahman (1976—1981) and Lt General H. M Ershad (1982—1990) resorted to military solution[4] of the problem. Their continued policies of planned Bengali settlements in the area from the plain lands (during 1976—1987 more than 400,000 Bengalis were settled there drastically reducing the tribal-non-tribal proportion)[5], creation of 'cluster villages' for the tribals as a part of counter-insurgency measures and restrictions on movements of tribal

population and attempts to divide them radically changed the situation turning initial tribal protest into all-out resistance. The military counter offensives had driven out 55,000—60,000 tribal people as refugees into the bordering Indian state of Tripura, adding an inter-state dimension.

B. Religion

The Bangladesh state came into being as a result of long united struggle including a war of liberation by its people irrespective of religions. 'Secularism' was declared as one of the fundamental state principles in the country's constitution (1972) with religion-based parties remaining banned till 1975

However, the post-1975 period witnessed a gradual change towards Islamization effected by military rulers, ostensibly in a bid to create political constituency for the regimes and to attain legitimacy, through constitutional amendments, first, by General Zia in 1977: redefinition of nationalism, now 'Bangladeshi'[6] ('Muslim identity' undertone to separate the nation from India, particularly west Bengal) in place of 'Bengali' (secular ideal), replacement of 'secularism' by the declaration of 'absolute trust and faith in the Almighty' and lifting of ban from religion-based parties This process found its culmination in the making of Islam 'the state religion' by General Ershad in 1988.

The state, thus, came to be formally identified with the majority community (Muslim) and closely drawn to Islamic world outside Encouraged by the policies of the regimes and being fuelled by petrodollar, religious forces have been more pronounced today bent on jeopardizing social and political harmony [7]

Any way, in immediate reaction to the incarnation of Islam as 'state religion' three religious minority communities combined to found a joint platform called 'Bangladesh Hindu-Buddha-Christian Oikya Parishad' (Unity Council) in 1988 This is now engaged in publicity campaign exposing communal violations and cataloguing disparities that exist between the minorities and the Muslim majority in various fields—parliament, services (army, bureaucracy, sector corporation), business, economy, institutions and other bodies.[8] This reminds one of the struggle of the Bengali Muslims during the British rule and, later, of the Bengalis as a whole during the Pakistan period, who had raised the similar things in their fight against the dominant Bengali Hindu community and west Pakistanis, respectively It must not be said that

there were no inter-communal disparities during the 1972-1975 secular rule These were there. It does not seem to be the result of any deliberate policy Some other factors including historical process might explain it. In any event, increased identification of the state with the majority Muslim community and its religious ideology (Islam) was the augury in bringing the matter into the political fore.

The restoration of the 1972 secular constitution and the repeal of the Enemy (later, Vested) Property Act (which was first adopted by the Pakistan government before the outbreak of the 1965 India-Pakistan war and is continuing till today and by which members of the Hindu community are being affected)[9] are the two main planks of Oikya Parishad's demand. Unless redressed the religious minorities might be pushed to raise the demand for separate electorates and fixation of quotas which may be further divisive.

4. Attempts Towards Conflict Resolution : Ethnicity

JSS/SB demand and government response

As it was not possible to crush tribal resistance through repressive measures, the Ershad regime at one stage (from 1987) initiated dialogue with the JSS/SB for a political solution. However, they failed to reach an agreement on fundamental points. While the JSS/SB were insisting on a 5 point demand[10] which included, among other things, provincial autonomy for the CHT or 'Jhumland' (as they called it) with its own legislature, removal of all non-tribal settlers and withdrawal of army camps from the area. For the government these demands were unacceptable. The question of 'provincial autonomy' was the bone of contention which the government regarded as a direct challenge to the existing unitary structure of the country.

Anyway, in the course of negotiations the government was able to win the support of a section of tribal leaders and in March 1989 the Bangladesh Parliament passed the Chittagong Hill Tracts Local Council Act granting the three districts in the area some form of local self-government (control over twentytwo subjects including local policing) within the existing structure of the country. Under this, provisions were made for an elected District Council in each district to be consisted of 30 members representing both tribals and Bengali settlers but with tribal majority, an elected Chairman from amongsts the tribals, reservation of

seats but elections on the basis of joint electorates and the Deputy Commissioner of the respective district acting as ex-officio secretary.[11]

It is true that unlike other District Councils, these were granted more powers and functions. Yet they fell far short of the JSS/SB demand for 'provincial autonomy'. The JSS/SB considered the creation of three District Councils as an attempt to divide the 'Jhumland'.[12]

Present Situation

The present democratic government (1990) headed by Begum Khaleda Zia has initiated a new move for a lasting solution of the problem. It has adopted certain concrete steps including the formation of a high-powered Official Committee (9 July 1992) consisting of nine MPs[13] representing various parties, being headed by a cabinet minister (Oli Ahmed) to carry on negotiations. It has been further possible to make a breakthrough at the inter-state level signing an agreement with India[14] (9 May 1993) regarding repatriation of tribal refugees the first batch of whom (379 families) returned home in February 1994. Peace talks with the JSS/SB (resumed in November 1992) are continuing and the seventh round of such talks was concluded on 5 May 1994. The periodic ceasefire between the government forces and the JSS/SB (first announced in August 1992) has been recently extended upto 15th July 1994. In recent negotiations while the JSS/SB were practically pursuing their original 5-point demand, though now 'regional autonomy' (tactical ?) in place of their earlier demand for 'provincial autonomy with a legislature', the government continued reiterating its previous stand.[15] However, in matter of relatively softer demands the government position seemed to be amenable.[16]

5. Problems and Prospects

Ethnicity : Problems

a. It will be extremely difficult to remove Bengali settlers (40% of the CHT population) from the area even if the government wants to

b. Regional/provincial autonomy, if granted, might encourage other parts of the country (5 Divisions) to raise similar demand which might pose a challenge to the unitary structure of the state.

c. Fear of secession.

d. The land question is also very sensitive and complex.

Ethnicity : Prospects

a. The inability on the part of the government in the last 18 years to crush the tribal resistance in spite of superior arsenal power and a never-win situation for the JSS/SB either may lead both sides to a negotiated settlement.

b. The growth of factional disputes and finally splits in the leadership of the JSS/SB and the working of three District Councils since 1989 have apparently strengthened the government position vis-a-vis insurgents, which might further lead the latter to soften their stand.

c. The prevalence of ethnic conflicts or potentials for conflict escalation in the adjoining regions across the borders may serve as a deterrant leading the three neighbouring countries to cooperate with each other for mutual benefit.

d. Besides local tensions, as refugees have imposed an extra-burden upon the poor economy of the Tripura state, the Indian side is now seemingly more willing to send them back.

e. The South Asian Association for Regional Cooperation—SAARC (1985) might also be useful in this regard.

Religion : Problems

a. Although the Muslims command an overwhelming majority as a religious category, yet they seem to suffer from some kind of 'minority complex' steming mainly from the fear of the neighbouring giant, India. This situation is very often exploited by rulers for their vantage. There might stand a potential risk of being easily identified as pro-Indian for the same reason (and, so, a high political cost) if one makes attempts to restore the 1972 secular constitution.

b. The beneficiaries of the Enemy (Vested) Property Act, whom ranged from political elites, bureaucrats to local influentials, might oppose the repeal of the law.

Religion : Prospects

a. Though the religious minorities comprise a significant number of the population, they are spread all over the country ; so, no threat of secession from them.

b. The areas now making Bangladesh have a long tradition of syncretistic culture combining varied religious faiths. The intelligentsia who hold influence and key position are mostly secular minded. What is more important, that the country's largest political party namely the Awami League (which had led the war of liberation) is a secular body. All these may help curb the influence of the communal forces and minimize, if not fully pull back, the Islamic bias of the state.

6. Policy Recommendations

Ethnicity

a. Constitutional provisions guaranteeing distinct identities (tradition, culture) of the tribal population ;

b. Prohibition of any planned Bengali settlements in the area in future by law ;

c. Appointment of a commission to settle land disputes ;

d. Reservation of the existing 3 parliamentary seats for the tribal population but elections on the basis of the present system of joint electorates and single-member constituency ;

e. Creation of a Regional Council headed by a minister as follows :

   3 elected chairmen of three District Councils (ex-officio) ;

   1 representative of Bengali settlers (elected by the Bengali councillors in three District Councils) ;

   3 MPs elected from the tribal areas (ex-officio) ;

   1 Cabinet Minister assigned with CHT affairs ;

   3 Deputy Commissioners (ex-officio) ;

   This body may be entrusted with the functions of coordination and monitoring of development works in the region. A provision for separate budgetary allocation in the annual national budget could be made earmarking this region, being placed at the disposal of this body ;

f. Joint declaration by the government and the JSS/SB denouncing violent courses with the pledge of mutual cooperation in maintaining peace and law and order and establishment of a Joint

Monitory Committee (JMC) followed by withdrawals of army camps in phases

Religion

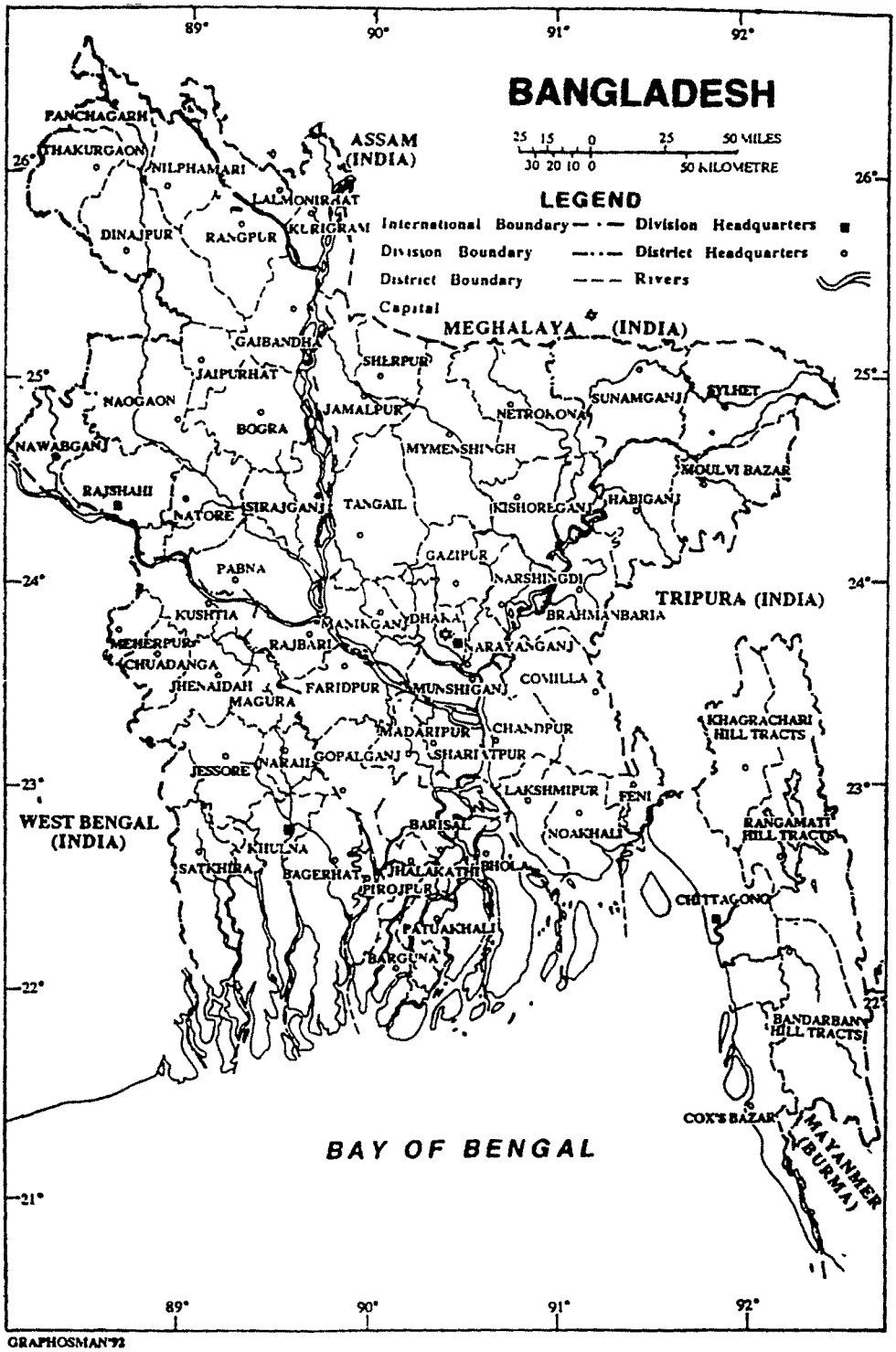
a. Secularization of the state. The state must not have any imposed religion to be known as 'the state religion'. It does more harm than serving any useful purpose. It must be remembered that there was no popular demand for making Islam 'the state religion'. It was an act by an extremely unpopular military regime which had long been suffering from legitimacy crisis. Restoration of the 1972 secular constitution could help national cohesion cutting across religious lines,

b. Repeal of the so-called Enemy (Vested) Property Act There must not be any discriminatory law based on religious consideration governing the property abandoned by any person.

7. Conclusion

In case of Bangladesh, both ethnic and religious conflicts are largely the results of mistaken state policies.

True that Bangladesh is not a theocratic state despite certain steps towards Islamization nor will it ever be so for reason of its distinct cultural heritage based by and large on mutual tolerance. Yet the symbolic use of Islam could be potentially counterproductive. Instead of aligning itself with any particular ethno-religious-linguistic communities or regions, the state should act as a higher and relatively neutral body what it actually meant for. It should have been the custodian of both general and particular interests within the nation. Even a small, unitary and mostly homogeneous state, as Bangladesh is, should be multi-dimensional and pluralistic in its roles and approach.


BANGLADESH
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Division Boundary
District Boundary
Capital
Division Headquarters
District Headquarters
Rivers
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30 20 10 0 50 KILOMETRE
ASSAM (INDIA)
MEGHALAYA (INDIA)
TRIPURA (INDIA)
WEST BENGAL (INDIA)
BAY OF BENGAL
PANCHAGARH
THAKURGAON
NILPHAMARI
LALMONIRHAT
KURIGRAM
DINAJPUR
RANGPUR
GAIBANDHA
SHERPUR
JAIPURHAT
NAOGAON
JAMALPUR
NETROKONA
SUNAMGANJ
SYLHET
BOGRA
NAWABGANJ
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KHAGRACHARI HILL TRACTS
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PIROJPUR
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BANDARBAN HILL TRACTS
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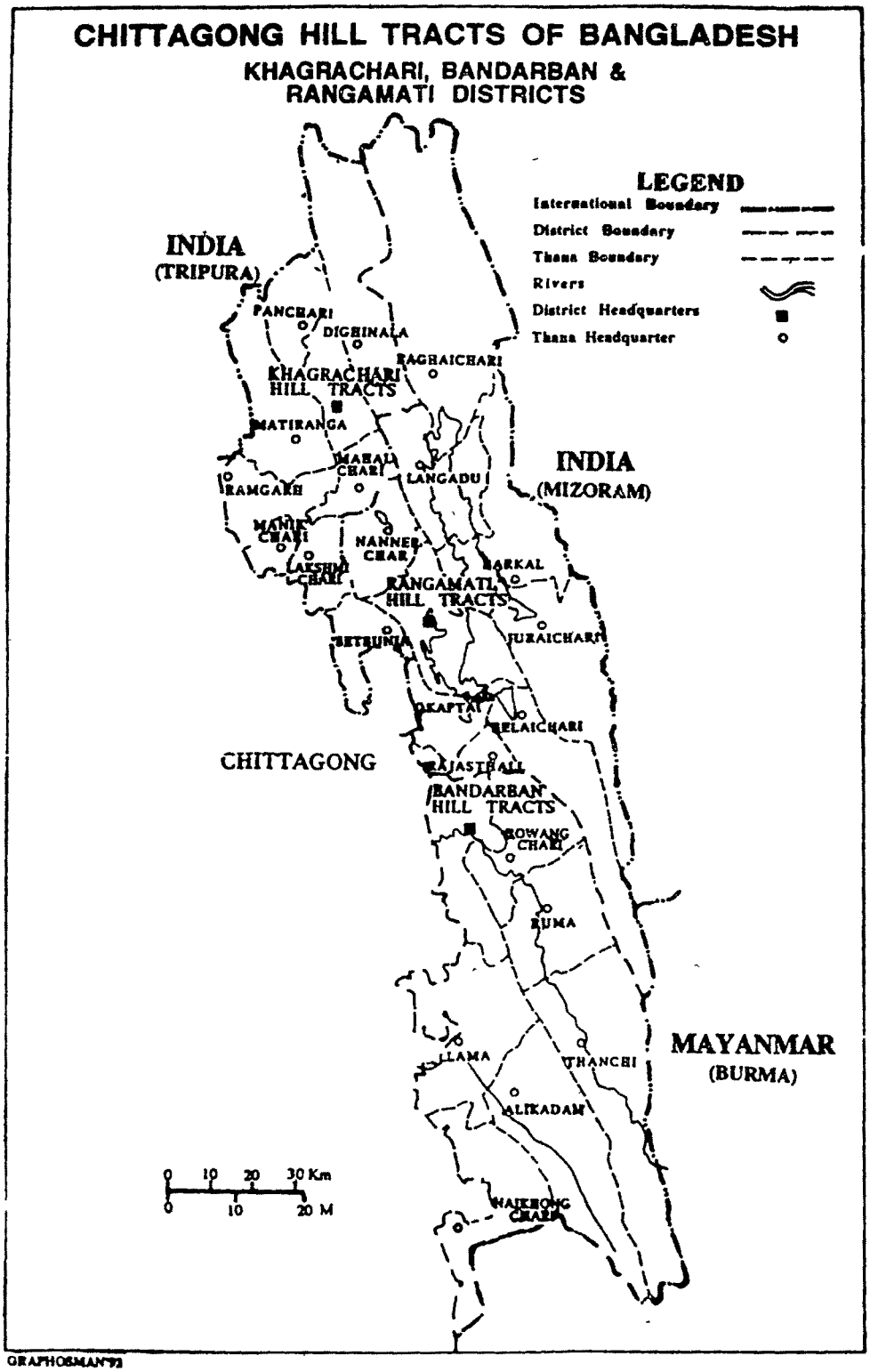
CHITTAGONG HILL TRACTS OF BANGLADESH
KHAGRACHARI, BANDARBAN & RANGAMATI DISTRICTS
LEGEND
International Boundary
District Boundary
Thana Boundary
Rivers
District Headquarters
Thana Headquarter
INDIA (TRIPURA)
INDIA (MIZORAM)
MAYANMAR (BURMA)
CHITTAGONG
PANCHARI
DIGHINALA
RAGHAICHARI
KHAGRACHARI HILL TRACTS
MATIRANGA
MAHALCHARI
LANGADU
RAMGARH
MANIKCHARI
NANNERCHAR
LAKSHMICHARI
BARKAL
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GRAPHOSMAN'92

Bangladesh
Ethnic and Religious Profile

Ethnicity

Bengali	:	98.7% (religion—Muslim, Hindu; language—Bangla)
Hill and Tribal	:	1.3%
	—	.61 % live in Chittagong Hill Tracts
	—	.42% scattered in several districts

Religion

Muslim	:	88.3% of Bangladesh's population
Hindu	:	10.51 %
Buddhist	:	.58 %
Christian	:	.32 %
Others	:	.26%

Chittagong Hill Tracts (CHT)

Location	:	South-eastern corner of Bangladesh India in the North and East, Myanmar (Burma) in the South-west, and Bay of Bengal in the West
Land	:	5093 sq. miles (10% of Bangladesh's total land)
Population	:	10,00,000 (1 m)
Tribals	:	600,000 (60 %)
Bengali Settlers	:	400,000 (40 %)
Religion (Tribal)	:	Buddhist, Christian, Hindu, Animist
Language	:	various, mainly dialects
Race	:	Mongolian, Sino-Tibetan descent
Cultivation	:	Shifting on the hill slopes called 'jhum'

Ethnic Composition of Three District Councils (1989)*

District	Tribal	Bengali Settler	Total
Rangamati	20	10	30
Khagrachari	21	9	30
Bandarban	19	11	30

* Chairman of District Council = Tribal

Notes and References

1 For details about the CHT, see Pierre Bressaignet, *Tribesmen Of the Chittagong Hill Tracts*, (Dhaka 1958), *The Report (May 1991) Of the International Chittagong Hill Tracts Commission (1989)*

2. Source Worked out from the *Bangladesh Population Census 1991*

3 They were held as pro-Pakistani suspect by the government for their support toward the Pakistan occupation army during the 1971 Bangladesh war of liberation.

4 The army was placed in control of the area An estimated number of 30,000-35,000 Security Forces (one to every twenty hill people) were deployed in 230 army, 100 BDR and 60 Police camps See *'Life is Not Ours', An Update Report (March 1992) of The International Chittagong Hill Tracts Commission (1989)*, 4

5 Today the estimated tribal-non-tribal proportion is 60% and 40% respectively, while it was 98% and 2% in 1947, 90% and 10% in 1971 and 73% and 27% in 1980

6 One might argue that this was intended to include the hill and tribal population within a broad and more acceptable frame of nationalism Indeed this did not dissuade the tribals at all from their claim of distinct identity nor the regime adopted any measures for a comprehensive solution of the tribal problem Rather, as can be seen in the text, it adopted repressive measures

7 Under the banner of Tahafuze Khatme Nabuwat the Jamaat-i-Islami party has very recently launched a campaign mobilising support from among the majority sunni Muslims and exerting pressure upon the government to declare the Kadianis (about 50,000 to 60,000 in Bangladesh), a sect among Muslims and being followers of Mirza Golam Ahmed, as 'non-Muslim' after the fashion of Pakistan (1974)

8 For details, see *Communal Discrimination in Bangladesh Facts and Documents* (Dhaka 1993), edited and published by the Bangladesh Hindu-Buddha-Christian Oikya Parishad , also *Commmunal Persecution and Repression in Bangladesh* (Dhaka 1993), prepared and published by the same body

9 For Enemy (Vested) Property Act, see Purnendu Bikash Chowdhury, 'Enemy (Vested) Property Ordinance , A Tyranny To The Minorities Of Bangladesh' in *Communal Discrimination in Bangladesh*, 89-101

10 See *5-point Demand of Parbatya Chattagram Jana sanghati Samity* (December 1987), booklet (Bangla), also *Report (May 1991) of The Chittagong Hill Tracts Commission*, 26 The demands also included constitutional provision forbidding any change of status of CHT without the verdict of the tribal population through plebiscite, rehabilitation of tribals who had crossed into the Indian border as refugees, due compensation for the families affected by the Captai hydro-electric dam, fixation of tribal quotas for recruitment into civil and military services, admissions into universities and medical and technical colleges, relaxation of age and educational qualifications, rehabilitation of all members of the JSS/SB, special development programme for the CHT including establishment of a separate bank

11 See *Chittagong Hill Tracts Local Council* Act, *1989* , Shawkat Ara Husain," Tribal Problem in the Chittagong Hill Tracts and Bangladesh Government" (Bangla), *"Bangladesh Asiatic Society Patrika"* December 1990, 119-137, Ferdous Hossain, "Autonomy Movement of the Chittagong Hill Tracts and Problem of National Integration of Bangladesh" (Bangla) in *Probandhabali* (Essays), Centre for Social Science Research, Dhaka University, 1992, 96-123

12 See *Statement* by the JSS on 19 11 1988, booklet (Bangla)

13 They were Oli Ahmed, MP and Communications Minister (BNP), Rashed Khan Menon (Workers Party), Kalpa Ranjan Chakma (Awami League), Mushtaq Ahmed Chowdhury (Awami League), Syed Wahidul Alam (BNP), Mohammad Shajahan (BNP), Barkatullah Bulu (BNP), Shajahan (BNP) and Shahjahan Chowdhury (Jamaat), *The Daily Star*, 13 May 1993

14 For Bangladesh-India agreement, see *The Daily Star*, 10 May 1993 , *Ajker Kagoj* (Bangla Daily), 11 May 1993 , *Bangla Bazar Patrika*, 11 May 1993 , talks with India were initiated in early 1992, see *The Daily Star*, 12 April 1992 , *ibid.*, 27 May 1992 , *ibid.*, 13 June 1993

15 See *Ajker Kagoj*, 2 October 1993

16 For examples, rehabilitation of the members of the JSS/SB, establishment of a separate bank.

J. Asiat. Soc. Bangladesh, Hum. Vol. 39, No 2, December 1994

THE EIGHTEENTH CENTURY INDIA : A NEW LOOK

SHAAN NOMAN*

I. Introduction

One of the most crucial and fascinating periods in Indian history was the eighteenth century. Historical writing on the eighteenth century is rather fragmented. The century is dominated by three major themes : the decline of the Mughals, the rise of regional powers and the gradual emergence of British domination.

According to many historians of the recent past 'chaos' and 'anarchy' was the dominant theme in the eighteenth century. To them political decline was much more important than the social changes that were taking place during the eighteenth century. All other important issues of the period were largely ignored by them.

The process of the decline of the Mughal empire had been explained from different perspectives.[1] More fundamental examination has been made during the last twenty-five years. History is always open to revision and reinterpretation Eighteenth century Indian history is no exception. Recently many historical research has been done on the eighteenth century and attempts have been made to change its reputations from one of collapse and chaos. The new interpretation of the period has viewed it from a much more positive angle [2]

Recent studies on the complexities of the century share certain new hypotheses which can be considered as a new histographical view. In their recent work C.A. Bayly, D. A Washbrook, S. Gordon, R. Barnett and F. Perlin considered the century or so from 1750 to 1850 as a period of transition. The picture that emerged from the studies is that eighteenth century was not a period of chaos and economic decline as was portrayed by conventional historians, the period also witnessed many new social and economic developments and even economic expansion in some regions. According to them the early colonial regime was the continuations of earlier indigenous regime of the sub-continent.[3]

The argument regarding the current trend of historiography that it was not a century of decline and universal collapse seems much more

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strong. So the assumption is that the decline of the Mughal empire was not accompanied by a general decline in the economy of India. It is incorrect to view the collapse of central rule as necessarily implying anarchy. Evidence does not present a dismal picture of economic ruin throughout the subcontinent. The Mughal empire was in ruins by the mid-eighteenth century. Imperial governors though they did not formally deny their allegiance to Delhi, but one after another had asserted their autonomy—Deccan in 1724, the eastern province of Bengal, Bihar and Orissa in about 1740, Gujrat and Sind in 1750, Oudh in 1754. Independent Pathan dynasties ruled in Farrukhabad and Rohilkhand within striking distance of the capital. The Rajput alliance destroyed by Aurangzeb's wars was never completely restored. In the far south Mysore was growing powerful under the adventures of Haider Ali and later by his son Tipu Sultan. The southernmost parts were divided up into a number of small principalities. In 1739 the Persian emperor defeated and plundered Delhi Punjab was ceded in 1751-2. In the year of Plassey in 1757 Abdali captured Delhi.[4] The Marathas by 1750 spread right across central India to Orissa, which they occupied and Bengal, which they attacked.[5] The fifties of the eighteenth century witnessed the establishment of the British power as the heirs of the Mughal empire. This above mentioned account provides the political scenario of India in the eighteenth century.

Some historians expressed the view that decline in the administrative efficiency reinforced the negative results of war and anarchy and this produced adverse economic results in the economy of the country.[6] However, one should be aware of that the history of Mughal India is in a sense account of continual conquests. So it is correct to say that wars and their side-effects did not necessarily bring negative results in the eighteenth century for the country as a whole. In fact prosperity of the new provincial kingdoms and the emergence of new centres of trade and industry compensated the imperial decay to some extent.[7] The administrative structure set up by the Mughals continued even after the imperial decline in greater part of the sub-continent and was not affected very much one way or the other. For the greater part of the population things were not significantly different from earlier times. This was because the evidences suggest continuity rather than sharp change

Throughout the eighteenth century the spirit of Mughal administration (but modified to local circumstances) went on The auto-

nomous kingdoms in Bengal, Oudh and Hyderabad continued to rely on Mughal practice.[8] The Marathas and the Sikhs sought to become agents of Mughal sovereignty and they also used administrative methods of the Mughals.[9]

The conditions of the country as a whole varied widely from region to region. The effects of war and administrative disorder were felt more in the west than in the east. To some extent the losses of one region were the gains of another. One particular development that was perhaps common to most regions of India in the eighteenth century was the emergence of different social groups into the limelight and decline of others.

Nowhere was this development more marked than the province of Bengal in the eighteenth century In the history of Bengal the fall of the Mughals and the coming of the British were not the only episodes. The creation and proliferation of different social groups and the role played by them in the political, social and economic life of Bengal throughout the eighteenth century were extremely important.

Taking the view that decline of the Mughal empire was a limited and inadequate theme of eighteenth century as my point of departure, this paper focusses on different social groups like the zamindars, Jagat Seths and banians. In this paper an attempt has been made to show how the zamindars consolidated their powers in a modified form and how the house of Jagat Seth and banians emerged as agents and middlemen for the East India Company and made their fortunes with the explanation of factors behind their subsequent decline with reference to historical developments in Bengal.

II. Prelude : Eighteenth Century Bengal

In the eighteenth century, Bengal passed through a period of transition rather than transformation. After the decline of the Mughal power, no political vacuum was created because the Subahdars of Bengal, who had exercised considerable autonomy, continued to administer the region. But when the central authority became weak it encouraged the emergence of new militant forces which sought to challenge the established order.

The rise of the independent Nawabs of Bengal in the first half of the eighteenth century was a natural outcome of the decline of Mughal authority in Delhi. Bengal had become a province of the Empire in 1576

but effective Mughal rule was established over it only by 1613 Towards the end of the seventeenth century the provincial government became weak Murshid Quli Khan was appointed Diwan of Bengal in 1700, became also Naib Subahdar in 1700 and Subahdar in 1717, in which he continued till his death in 1727. It was Murshid Quli who founded the Nawabi or the rule of independent Nawabs which virtually lasted till the Diwani grant of 1765. In form the Governors of Bengal still owed their posts to imperial sanction and continued to send revenue to Delhi But in effect Bengal was left free to pursue her own destiny, unhampered by any imperial interference.[10]

An efficient system of civil administration gradually evolved during Murshid Quli Khan's reign which laid the basis for subsequent development. In 1740 Sarfaraz was killed by Alivardi and Alivardi's grandson Siraj-ud-daula was ousted by Mir Jafar in 1757, thus facilitating the rise of the British power. The political changes that occurred in Bengal around the middle of eighteenth century were certainly not unique in its nature. It is correct to say that similar changes and developments have been occurring in many other parts of India. Going back we observe that with the coming of Murshid Quli Khan to Bengal at the beginning of the eighteenth century there occurred a significant change. Bengal benefitted from his exceptional administrative ability and thus provided peace and order which in turn encouraged economic development.[11]

Here it is pertinent to mention that the economic changes occurring in the eighteenth century was not a uniform process rather it was characterized by unevenness and external shocks. Although concrete historical evidence and records are scarce, there is some agreement that in general in the first half of the eighteenth century Bengal economy flourished with little dislocation. The second half of the eighteenth century on the other hand was characterized by dislocations and shocks even though trade and commerce expanded quite rapidly. According to Sinha (1927) "at the very beginning of that century, the Province of Bengal broke away from Delhi ... Bengal was undoubtedly the richest of all Indian provinces in agriculture, manufacture and commerce."[12] The manufacturing industry and agriculture prospered during the first half of the century. More importantly in spite of occasional and local scarcities and flood, Bengal was practically free from great natural calamities and famine. The Maratha invasion of 1743—45 did not have any long lasting

adverse effects. Within 2—3 years the Bengal economy adjusted. Trade in foodstuffs and agricultural goods was relatively limited and the produce was substantially consumed within the country. But it is wrong to suggest that agriculture underwent any major structural change during the period. Population was generally stable and possibly growing slowly.

In the second half of the century, there were a number of localized scarcity of grain around Calcutta, leading to very high prices. But the big famine struck only in 1770, many people died of starvation. Normal economic activity was disrupted and there was a population setback caused by famine. Food scarcity occurred again in 1783-84 and 1787-88 due largely to abnormal weather conditions. Apart from natural calamities it is also believed that during the period 1757—72 there was some decline in agricultural production owing to British land revenue policy and generally unsatisfactory land revenue administration It is likely that the revenue burden on ordinary cultivators increased during the period, although there is no hard evidence. It is true that trade, particularly overseas trade grew rapidly in the second half of the century. But its effect was mixed, while some sectors benefitted from trade with increased output and employment, others suffered when British imports have threatened the livelihood of many artisans like weavers of Dhaka.[13] With the consolidation of political rule large scale trading and financial activities were also gradually being monopolized by the East India Company during the period.

In the regional economy, development of market forces had made some inroads into the subsistence character of agriculture Firstly, the already existing rural markets developed some linkage with the arteries of inland commerce. Secondly, there was substantial growth of non-food production and some tendency towards their localization. All these developments were features and indicators of increasing commercialization.[14] The commercial and financial transactions were often carried out at large scale. Money was invested for the production of agricultural and manufactural goods like the cotton, sugarcane, mulberry, poppies, indigo and textile, salt petre etc. in response to expanding demand.

Under the rule of the Company's Governor and his council factory settlements expanded to become considerable towns. Around the centres of the Nawab's government some towns grew up, while others declined. No doubt this process of urbanization was the direct result of expansion of trade and economic activity.[15] Alongside urbanization, increasing com-

mercialization of production and government policy also facilitated the rise of different social groups. Of these the zamindars[16] or landowners were the most prominent. We now turn our attention to them.

III. Zamindars in the Eighteenth Century

Bengal in the eighteenth century was a zamindari region. Among those whose acquiescence the Nawabs needed most was the major revenue paying zamindars as well as merchants and bankers. The government received most of the revenue from the zamindars and thus maintained a stable order over wide areas. In return the zamindars were allowed to get a considerable margin of profit on their collections and a free hand in administrating what was virtually their territory. The zamindars also played an important role—they provided the bridge between the vast peasantry including its subjects in the countryside and the central rulers be it Mughal or British. They were thus very important as a layer of power keeping the central authority in rural areas intact.[17] Under Murshid Quli Khan a great attempt had been made to create big zamindaris. During his reign sixteen very big zamindars were in charge of the revenue of 615 parganas or fiscal units.

The view that the zamindars and taluqdars, as holders of state offices coming largely from the Bengali Hindu community, came into existence during the British rule is clearly incorrect because this class existed long before the advent of British rule, though it had a different form Murshid Quli entrusted the task of land revenue collection from a group of parganas to one person

The traditional view is that these zamindars were the worst sufferers from the rigidity of the rules of the Permanent Settlement and one-third to one-half of the zamindaris of Bengal were sold by the rigour of the Sale Law and they were mostly bought by rich merchants and the banians from Calcutta, who had amassed their fortunes in their transactions with the English, the French and the Dutch and by those who had made money by banking, contracts, inland trade and such other activities.[18]

The so-called Calcutta banians, except in certain regions, scarcely dominated the land market mainly because trade and some related pursuits were still quite profitable. The following account will show to what extent the big old zamindars suffered and how the lesser new zamindars consolidated their position in a modified form through the patronage of the British. Marshall [1987] thinks that "mounting pressure

by the Nawab's government for higher revenue from the zamindars was evidently forcing them to make sales. The carving up of the great zamindaris, so marked under the British, seems to have begun under the Nawabs "[19] At that period the pre-eminent zamindars of Bengal proper were those of Burdwan, Rajshahi, Dinajpur, Nadia, Birbhum, Bishnapur. If measured by landholding, they controlled almost half of the landed property of Bengal at the time of Permanent Settlement

In Bengal the big zamindars like the zamindars of Rajshahi, Dinajpur, Nadia, Bishnapur, Birbhum and Midnapur did actually suffer worst. The main causes and circumstances for the fall of the great territorial families of Rajshahi, Dinajpur, Nadia, Birbhum and Bishnapur were the natural calamities, intrigues of zamindari amla, overassessment, extravagance and incapacity of the proprietors etc. Besides these, it was government policy guided by both political and economic considerations, to break up these big estates into more manageable and economic units

With the arrival of Cornwallis, the need to dismember the great estates on economic ground was more keenly felt than political consideration. In 1793 he carried out a far reaching revenue reform called Permanent Settlement, which in principle lasted till the end of British rule in India. Its basic feature was very simple . the entire province was subdivided into numerous zamindaris and zamindars were required to pay revenue to the Company which was fixed in perpetuity. Zamindaris were sold to individuals who could pay the highest bid and the newly created zamindars had total security over land as long as they paid their revenue to the authority in time. Naturally the individuals who had wealth and possibly some influence could obtain the zamindari rights. It also tried to regulate relations between the zamindars and their tenants called ryots rather unsuccessfully While trying to protect the ryots so that they are not subject to excessive rents from the zamindars, the authority was also concerned that this did not undermine the capacity of the zamindars to pay revenues to the Company in time. This proved to be the most intractable problem that haunted the British authorities in the years to come On balance, it seems that the Company was too willing to sacrifice social justice for the security of its revenue.

Cornwallis had a vision to consolidate British rule in the countryside of Bengal and zamindari system was seen as a useful tool. Apart from being a reliable political ally, he viewed the zamindars as a group with regenerative and revitalising capability, ultimately succeeding to expand

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the wealth and prosperity in the countryside. He relied heavily on the small zamindars for such improvements. Cornwallis believed that "the overgrown zamindars as a group were extravagant, incapable and lazy whereas the smaller zamindars were mindful of improvement of their estates."

However, the misfortune of the old zamindars need not, however, be exaggerated. Three great families survived the transition. They were the Rajas of Burdwan, Tiperrah and Lashkarpur. In fact the Raja of Burdwan not only survived but eventually vastly improved his position. By creating patni tenures the Raja of Burdwan shifted his responsibilities on to the patnidars with whom he had concluded another Permanent Settlement that is leasing portions of his zamindari to those persons who agreed to pay him a fixed sum of money.

As purchasers of estates the most notable of the zamindars was perhaps the zamindar of Burdwan. From auction sales he salvaged the most valuable estates, but he bought them up under fictitious names. Another device of his was to sell off over assessed and unprofitable estates like Maldalghat and to purchase profitable estates in other districts like Barahajari which belonged to the Bishnapur Raj.

After 1772 the importance of the zamindari as a durable institution in rural Bengal was increasingly realized by the Company and they made concerted attempts to stabilize the zamindar's position. This process culminated in the Permanent Settlement of 1793. After 1780 the old zamindars were restored almost everywhere. Despite their recent impoverishment the government had no doubt about their pre-eminent position in the rural power structure. They also realized the price they paid by ignoring them earlier.

The social composition of the leading groups in the rural society had undergone some major changes particularly in personnel through the process of increased sub-division. Sub-division was greatly accelerated by the British. Zamindars with smaller holdings could organize their collection more efficiently. Sub-division thus strengthened the position of medium and smaller zamindars. Among the prominent new zamindars the 'Kandi family' of Murshidabad made their first fortunes by serving under the government. The Kandi family, though comparatively new as landowners, was nevertheless one of the principal families among the ex-Mughal officialdom. A notable member of the family Ganga Gobinda Sinha was the principal favourite of Hastings.

There is evidence that people employed in the zamindari and government service could readily seize the opportunity and active British official patronage was often instrumental behind the spectacular success and rise of many new zamindars. This is exemplified by the obtaining of zamindari by the Benerji family of Telinipara and Manik Chand family of Dinajpur from the background of zamindari service and that of Kishancharan Dutt of Calcutta from the background of government service. All of them acquired immense wealth by using or abusing their official influence in buying extensive landed property. In general the very prominent among the post 1793 purchasers were those who had served the zamindari administration and took the rank of zamindars. It is worth mentioning that there were also some new zamindars who came from the merchant community and banians, which will be discussed in the next section.

Zamindars as defacto owners of land came to occupy the highest position in social hierarchy. Their right to rule the zamindari territory as they seem fit guided by traditional notions owed no doubt to their control of land as zamindars. Many new zamindars became patrons of learning and religion. Some of the richest zamindars acquired great houses in Calcutta to spend a certain part of the year where they also became leaders in the society. The conditions of the new zamindars and those of the old who survived improved steadily over the years.

It is probably correct to assert that in spite of the loss of some traditional and customary rights under the Permanent Settlement, towards the later part of the century zamindars managed to consolidate their position vis-a-vis most other social groups. Particularly their power and authority in rural areas continued to remain unabated. Zamindars had free hand in exacting extra revenue from their tenants on the occasion of every religious festival and family celebrations. In certain parts of the province this was accepted as a social norm. The zamindars had at their disposal the service of local police and 'darogahs' (local revenue police) in their revenue collection mission. Often they had their own 'lathials' (literally meaning strong stick carrying force), who effectively maintained law and order in the remote villages in the manner zamindar wanted it. In the second half of the eighteenth century agrarian disturbances invariably took the form of protest by the tenants against tyranny and the excessive rent imposed by the zamindars on the tenants. It took some time for the British authority to institute a new system of

law and policing system in the country, while the old Mughal system of administration and justice gradually collapsed Zamindari power in this situation readily filled the vacuum in rural areas, a role which no other social group has the ability or willingness to carry out at that time. As long as this did not threaten the British political interest, the authorities were willing to acquiesce. Zamindars, however, were not the only social class with influence and power in the eighteenth century Bengal. Other social classes like banians and Jagath Seths were also prominently visible on the Bengal social scene.

IV. Rise of the Banians as Agents and Middlemen

The banians acted as agents and middlemen for the East India Company's servants and British Free Merchants. They played a very important role in British private trade transactions As Sinha (1961) puts it the eighteenth century Bengali banian was "interpreter, head book-keeper, head secretary, head broker, the supplier of cash and cash keeper.... They knew all the ways, all the little frauds, all the defensive armour, all the artifices, and contrivances by which abject slavery secures itself against the violence of power." He further added that "the young writer landed in Bengal without money but eager to acquire a fortune as quickly as possible. The banian took possession of him, got from him the ticket of an Englishman's name, the power which it conferred and in return supplied him the money he needed."[21]

Banians thus came to prominence as the direct result of the expansion of British trade in Bengal. Here we will make an attempt to examine whether the new zamindars came largely from the banian background and what role the banians played in the economic life of Bengal in the eighteenth century by virtue of acquiring wealth. First, we examine the question why and how the banians suddenly rose to prominence.

It is correct to say that the Comapny's Governors and Administrators especially after 1786 were usually men with British military and poltcal experience but with no previous knowledge of India. So they made contacts with the subjects through Indian agents. The Company could not conduct their day-to-day business without the services of the banians, bankers (Jagat Seths) and the zamindars The banians readily seized the opportunity They attached themselves to individual Europeans and became their personal agents, interpreters and general

intermediaries. The banians involved themselves in unfettered strive and competed for the favour of the Governor and his senior colleagues. They also soon learnt how to exploit factional rivalry among the Europeans [22] Like the 'dubashis' drawn from the Komati commercial community of Andhra, banians in Bengal made their large fortunes as the agents of the British.[23]

Through the 'Permanent Settlement' some banians transferred their mercantile fortunes to land purchases and became zamindars. However, the process was not universal. It is thus instructive to examine the transformation process occurring at that time among the banians. Islam (1979) noted that the families of the elder banians like Kanta Babu, Nabakrishna Deb, Gokul Ghoshal, Ramchandra Sen, Naku Dhar, Joykrishna Sinha, Kashinath Babu and others acquired properties before the Permanent Settlement. Moreover by the 1790's they were already considered to be the established members of the aristocracies. The Kasimbazar family was for long associated with the silk business, mainly supplying raw silk and silk goods to the English company. Kanta Babu, the founder of the family business, succeeded in establishing family links with new administration. He was merely a 'muhrer' in the Company's Kasimbazar factory before Plassey His high skill in testing the quality of silk goods and his capacity as a private trader drew the attention of Warren Hastings, at that time commercial resident at Kasimbazar. Intimacy grew between them. After the Plassey he became Hastings' banian, but the relationship was more than that of a banian.

The Tagore family of Calcutta was the next most important family who became zamindars from the occupation of banians. When '24 Pargana' came under the East India Company Joyram Tagore worked there as an 'amin' (a temporary collector or supervisor). All over Bengal the members of this family bought extensive lands after decennial settlement. Before that they had virtually no place among the landowning class. However, there were also some top ranking business families who were not interested in land estates like Ramdulal De, Radhamadhab etc. One notable feature is that all the banians were city dwellers and owned large capital ; they made their fortunes as partners of British private traders in Calcutta and as close associate with their British Masters.

Many banians were at that time socially so powerful that they had a street or a lane named after them. It clearly showed that the prominent residents of Calcutta in the eighteenth century left an impression on the

popular mind. This also partly reflects the influence moneyed interest exerted in the contemporary society. In keeping with their social position the banians also constructed many temples, bathing ghats and other public facilities. They also spent money lavishly in marriage festivities and 'Sradhs' or ceremonies in memory of the deceased.[24] They invariably used to feed many people on such occasions as mark of their social prestige.

However, it should be mentioned that the banians have not always occupied favourable position. They took the risks of advancing money to the young writer who was likely to die a premature death leaving no assets. Often their money was not paid back by the individual English trader. To some extent the Supreme Court in later years improved the positions of banians as a supplier of capital to the servants of the Company. But by the end of the eighteenth century the banian became confined to a more restricted role when the agency house gradually took over much of the work of the banian group [25]

Although primarily trading houses, these agency houses also acted as bankers, bill brokers, shipowners, insurance agents, surveyors etc. Consolidation of the British rule in Bengal and expansion of inland and overseas trade opened new avenues for private traders and European agency houses formed the mechanism through which these trading operations are now carried on. The Company's servants gradually ceased to take part in private trade giving rise to British free merchants. In the new situation of somewhat regulated trading ventures the East India agency houses financed partly by the individual capital of Company's servants became the characteristic unit of private trade The decline of the banians in this context seems natural if not inevitable ; with the disappearance of individual servants of the Comapny from the trading activity, the banians lost both their business and official patronage. In the new more competitive environment the banians with their small individual capital base could not survive. On the other hand the British free merchants, beginning with humble resources gradually developed a composite trading, financial and shipping business in the process eliminating the traditional business groups, like the banians and also the Jagat Seths. We now turn our attention to the later group.

V. Emergence of the House of Jagath Seth as Financial Magnates

The Jagat Seths maintained a monopoly in the banking business throughout the greater part of the eighteenth century. The currency

policy of Bengal was effectively controlled by the Jagath Seths from 1718 to 1760. For more than four decades the house of Jagath Seths played a dominant role not only in the financial history but also in the economic and political life of Bengal.

The banking house was so paramount that Burke compared it with the Bank of England The house became the centre of commercial credit. The Europeans—the Dutch, the French and the English all had to depend very much on the Seths Even though the European traders bought bullion from Europe but because of the distance the supply was always uncertain. These houses always supplied the timely supply of credit needed to carry out trading smoothly. The banking house became conspicuous for its wealth, integrity and avowed favour of the governing power.[26] It is interesting to note that the emergence and rise of the Jagath Seths has coincided with the period of war and apparent anarchy in Indian history.[27] In this section we will make an endeavour to show how this banking system became giant and powerful in Bengal and what economic and political role did this house play which also led to their subsequent decline by the end of the century.

"As the Ganges pours its water into the sea by a hundred mouths", writes a Bengali poet, "so wealth flowed into the treasury of the Seths. "[28] The natural question arises how this house managed to transplant itself from its home in Rajputana to Patna and established its presence in Dacca, a large trading city of Bengal. It is said that the people of 'Marwar' in Rajputana had been very enterprising and had a good knowledge of how to earn money and they made very good use of this knowledge in the eighteenth century. The aridity of the domestic soil provided an inducement to adventure abroad.

In Bengal, historically the banking business was not in the hand of the Bengalis. There is a legend that during 1158—1179 the ruler of Bengal Vallal Sen gave new ranks to different castes and the indigenous bankers of Bengal ; the 'Suvarnabaniks' had been given a low rank in a caste hierarchy. He did it as a revenge against 'Suvarnabaniks' because they did not lend him money when he needed it. The adverse influence of this local ranking largely explains why the bankers from other parts of India came to Bengal and established themselves there because they did not care about the loal caste rankings.

To give a typical example Hirananda Saho came from Nagar in Marwar to Patna where he set up a banking establishment or kothee which

began to lend money to the servants of the English East India Company for the purchase of saltpetre and thus entered into business relationship with the British. As Dacca was then the capital of Mughal Bengal and most important centre of riverborne trade in Eastern India, Manik Chand, the eldest of Hirananda Saho's seven sons, migrated to Dacca in search of his fortune about the end of the Seventeenth century.[29]

Manik Chand's 'kothee' began to prosper, because they supplied credit timely and did excellent business in this very competitive market. The 'kothee' continued to do active business at Dacca as one of the most important branches of the house. At Patna he had also a banking establishment of his own. There were other branches of this house at Hugli, Calcutta, Beneras and some other places in Northern India. When the semi-regal Nawabs of Bengal were at the height of their power, the bankers of this house came into connection with the English merchants at Calcutta whose relations with the Government were frequently strained on account of the Nawab's attempts to extort money from them. During that time we find that the Jagath Seth acted as a mediator between the English and the Nawabs. It is interesting to note that the Seths never demanded money from the English as price of the services they rendered them. There is no doubt that the English would not have accomplished all they did without the aid of the Jagath Seth

In 1722 Manik Chand's successor Fateh Chand got the title of Jagath Seth as a hereditary distinction. By that time the house established its ascendancy in the money market of Bengal Periodically Fateh Chand was in a position to provide enormous sums of money to Nawab's government. Under Fateh Chand the house enjoyed great prosperity His successors Jagath Seth Mahtab Chand and Maharaja Shwarup Chand maintained the position of ascendancy in the economic life of Bengal. This house was the receiver and treasure of government revenues and performed the role of revenue manager for the government.

The 'batta' (discount) on recoinage was a source of considerable profit to the house. In Bengal there were so many different varieties of coins to be exchanged into siccas but that didn't result in currency anarchy because the Jagath Seth house could control the operations of the 'shroffs' as professional banker. No wonder Jagath Seth was the sole purchaser of all the bullion imported into Bengal Even the task of remitting the annual tribute to Delhi was also entrusted with this house. In Bengal this house therefore performed the role of a 'State Bank' Jagat

Seth's banking network was so vast spreading across all over North and East India that their 'Hundi' (bank draft) was acceptable by traders in any part of the country

It is interesting to note that between 1718 and 1730 the English took loans from the Murshidabad Kothee of the house of Jagath Seth amounting to rupees four hundred thousands a year on average It is quite plausible to believe that whenever necessary the English trading establishments in Dacca, Calcutta and Patna must have taken similar amount of loans from the nearby Jagat Seth 'kothees '[30] Hence it is no exaggeration to say that this house became the centre of commercial credit in eastern India.

Besides the economic role the Jagat Seths played a key role in Bengal politics at least for a period of time By virtue of their economic clout this house exerted considerable influence on the Mughal court during the period 1717 to 1767 and also enjoyed great prestige. It is said that when Murshid Quli Khan, the ruler of Bengal, incurred the displeasure of the Mughal Emperor in Delhi, it was Fateh Chand who was instrumental in restoring the Emperor's trust in him in 1722 This was of course partly in return for the support and protection the Jagat Seth enjoyed under Murshid Quli's rule It is instructive to note that Fateh Chand did not exert his influence to obtain an imperial farman for the new ruler of Bengal Sarfaraj, Murshid Quli's grandson He did not take part in the intrigues which helped Shujauddin to ultimately succeed Murshid Quli in 1727, but his support helped him to facilitate the new ruler's moves in Delhi. Fateh Chand also greatly benefitted from Shujauddin's favour which exceeded even that enjoyed under Murshid Quli Khan. Fateh Chand's role did not end there , he played a vital role in the 'revolution' of 1740. His support to Alivardi's cause was cautious but not open It was he who helped Alivardi to get the farman of 'subadarship' from the Mughal Emperor When Siraj-ud-daula succeeded Alivardi Khan he could not get imperial confirmation for some time He then suspected that the Seths were using their influence against him He held Mahtab Rai and Swarup Chand, two leading Seths responsible for this. The subsequent intrigues and conspiracies that culminated in the Battle of Plassey and the role of the Jagath Seths played is well known. When the time came they clearly sided with the English to undermine the Nawabi rule. It is somewhat ironic to observe that Fateh Chand engineered the 'revolution' of 1740 which brought Alivardi in power and Mahtab Rai and Swarup

Chand followed their steps in 1757 that brought down Nawabi power. They were very quick to see the changing situation and adjusted their position to take care of their interest. But the supreme irony is that the 'revolution' of 1740 placed Fateh Chand and the house of Jagat Seth at the height of their fortune, but the change of power in 1757 gave rise to a situation which marked a rapid decline of the Jagat Seths in later years.[31] The preceding account leaves us in no doubt that throughout the period leading up to the event in 1757 Jagat Seths were actively involved in Bengal politics and on numerous occasions acted as King makers or Nawab makers to be more precise. It is however misleading to believe that they themselves had any ambition of achieving political power willing or able to rule and take over the responsibility of the welfare of the inhabitants. They were bankers and pursuing the ideals of bankers but taking every opportunity to acquire and expand their wealth either by colluding with the political rulers or independently as the situation demanded.

The situation after Plassey created new conditions over which Jagat Seth house had no control One can put forward several factors behind the decline of Jagat Seths from their position of preeminence. With the consolidation of power by the English East India Company Jagat Seths' monopoly in the credit market was lost. This was partly due to the fact that Lord Clive was personally indebted to the Jagat Seths for the assistance they provided in bringing down the Nawabi power paving the way for establishment of British rule in 1757. But with the departure of Clive from India the Seths no longer received the patronage of the subsequent British rulers. Perhaps more important is the fact that Company's servants did not need to borrow money any longer for their private trade Political control gave them a privileged position in inland trade. Foreign trade as well as inland trade of Bengal no longer required the aid of their credit as Company developed its own line of credit. Another critical factor was that the Company had now sufficient surplus in its treasury and the Company's official trade and investment was no longer dependent upon short term credit from the Seths. As a result of the Company's policy the export trade of Bengal became altogether independent of the Jagat Seths' finance However, they still controlled for some time the 'batta' on coins in spite of the operation of mint in Calcutta But, perhaps the immediate cause of the Jagat Seths' decline was the currency disorder of the 1760s which the Seths failed to control. In the face of growing currency confusion the East India Company was

equally helpless By the decade of 1790s they brought order out of the chaos but the house of Jagat Seth was then a distant memory. The emergence of European banks despite some initial failures changed the scene completely. The dominant position of the house of Jagat Seth as a source of almost unlimited supply of finance ended for certain The final blow came when the treasury was transferred to Calcutta , the house of Seths were squeezed out of credit business as they practically ceased to act as bankers to the Company. Their funds dried up and the streams of wealth to which the Bengali poet refers ceased to flow into their hands. They seem to have failed to adapt themselves to the new conditions but if they could they might have established a remarkable example of endurance of their wealth [32]

VI. Concluding Remarks

The common theme which ran through the preceding discussion is that more than anything else eighteenth century Bengal was characterised by rise of certain social groups and decline of others Three major social gorups have been identified and an attempt has been made to show the historical process that gave rise to these social groups while also highlighting the political, social and economic role played by them.

Of the three social groups identified and discussed at length only zamindars continued to exert lasting influence on the society British rule brought about some fundamental changes in the way the province was ruled, its revenue system organised and its trade was conducted. Although British colonial policy did not itself create any of these classes, but the impact of these policies made possible survival and consolidation of some classes often at the expense of others.

Unlike Jagat Seths and banians, zamindars as a social group survived and consolidated their position albeit in a transformed way. The Permanent Settlement in Bengal is often dscribed as an exercise in social engineering intended to bring about big social changes in society While its overall impact in rural and urban society is debatable, it certainly entrusted zamindars with new source of power and authority. Without doubt the vast power and influence of handful of some old big zamindars were abolished, but some of them managed to enter the new ranks alongside small zamindars, banians, traders and officials.

It appears that "from a public organization administering the country by customary right, zamindari became a private establishment collecting

revenue on a permanent contract" [Marshall, 1987] But in reality the vacuum created by the gradual erosion of the Mughal administrative and judicial system and time required to replace it with a new system of law and administration initiated by the British, meant that zamindars continued to effectively rule the countryside throughout the later part of the eighteenth century and well into nineteenth century

Unlike the revenue system which had possibly made little impact on the society beyond the zamindar class, the expansion of trading and commercial activities particularly in the later part of the eighteenth century certainly have brought about perceptible change in the society The changes in production that occurred in response to inland and overases trade affected the livelihood of considerable proportion of people While some sectors benefitted from trade with increased employment others suffered when British imports was beginning to threaten the livelihood of many artisans The population of Dhaka, a major centre of texile production, declined alongside Patna while that of Calcutta rose in a process which started in late eighteenth century and culminated in the nineteenth century.

Parallel to the rise of Calcutta as a major centre of administration and trade we witness the emergence of a new centre of culture and learning. Zamindars had both wealth and leisure time to become the patron of culture and learning Late eighteenth century also witnessed the emergence of new elites in Calcutta originating largely from among the rank of zamindars and other lesser land owners The newly emerging Hindu elite in Calcutta had a strong tendency to form groups and associations, some of which were aimed at specific purpose while others appear to have identified themselves with certain social and moral attitudes Spread of English education provided the thrust to these activities. Later in the nineteeth and twentieth century with the transformation of this nascent elite into a full grown social group, the cultural, social and political leadership of Bengal came from them

However, the British rule is not in itself a sufficient explanation for manifold changes that were occurring in the eighteenth century. As Marshall [1987] puts it, "the new regime was established in societies that were undergoing ecological, cultural, social and economic change which had begun long before 1765 It seems more likely that early British rule stimulated, modified or aborted existing pattern of change than it was

able to break long continuities and force Eastern India into wholly new directions."[33]

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HINDU MARRIAGE : DIMENSIONS AND PERSPECTIVES

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Introduction

Marriage, as a social phenomenon, has its roots in social, political, economical and religious spheres. So, the term marriage is very comprehensive and it ought to be considered as a whole. This conception is found in almost all the religions and specially in Hinduism If we look upon the history of Hinduism we find that there is not one single source of it like Christianity and Islam Hinduism as a whole is based upon different *Sastras*[1], mainly the *Srutıes*[2] and the *Smrtıes* [3] As a religion, Hinduism has undergone many changes in different ages and times The same is the case with Hindu marriage. Hindu marriage is more or less dynamic in character. In Hinduism marriage is always considered as an important and essential institution of personal, social and religious life Moreover, Hinduism has given high moral and religious values of marriage In this sense Hindu marriage has its definite dimensions and perspectives In this paper attempts will be made to discuss the different dimensions and perspectives of Hindu marriage with special reference to the *Rg-veda*[4] and the *Law of Manu* [5], since the *Rg-Veda* and the *Law of Manu* are still considered as the authentic and accepted source of Hindu religious rites

Genealogy of Hindu marriage

Marriage is seen as a flourishing institution in the *Rg-Vedic* society [6] The entire body of the *Vedic* evidence establishes the sacredness of the marriage tie and traces upon the relationship only through the father as well as the offering of funeral oblations to him and to his male ancestors.[7] During the period of the *Rg-Veda* marriage had already been given a religious sanctity [8] It had come to be performed under an elaborate system of religious rites.[9] The *Rg-Veda* dwells at length on the happiness of the married couple bound through a sacramental wedlock.[10] Marriage was a natural need, a social necessity and a religious *Samskara* (sacrament) which every Aryan had to fulfil[11], and still it is considered as the same for a Hindu.

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Marriage as a *Samskara* (Sacrament)

The Sanskrit term, *Samskara* is applied to the ritual observed during any of the transitionary phases in the life of a Hindu The aim of *Samskara* is to purify the person of a human being in this life and the life after death. It prepares the human body, being free from all worldly limitations and desires and leads it towards the ultimate ends of life, i. e , salvation. The generally recognized sources of the *Samskara* are the *Vedas*, the *Srutıes* and the *Smrtıes* .

The number of *Samskaras* was innumerable once upon a time Later, it reduced from over 300 to about 40, then to 18, or even 10. These are *Vwaha* (marriage), *Garbhadhana* (impregnation), *Pumsavana* (performed during the third month of a woman's pregnancy to ensure that the child will be a male), *Simanta* (the parting of the hair of the expectant mother), *Jatakarma* (the rites associated with child birth and delivery), *Namakarana* (name giving ceremony), *Anna-prasana* (first food eating festival), *Churakarana* (tonsure), *Upanayana* (starting formal education) and *Samavartana* (returning home after completion of study)

Like Roman Catholicism[12] marriage, being a *Samskara* and most important *Samskara*, had been the conception of Hindus right from the *Rg-Vedic* age down to the present centuries The *Vedic Rsis* considered their marriage as a very serious affair and they sanctified their nuptial with sacred religious rites. They conceived marriage as a life-long union where both the spouses worked together for a common ideal Their union is not treated as a simple romance. Marriage is only a means to the end, the end is something sublime The main reasons why marriage is considered as the most important *samskara* are as follows :

1. Since the *Rg-Vedic* time Aryan life was divided into four *Asramas* (stages), viz., *Brahmacarya* (the student life), *Grhastha* (house-holder), *Vanaprastha* (retirement) and *Sanyasa* (surrender) to perform the *Dharma* properly. *Grhastha* is considered as the most important and necessary of all other *Asramas*. Because, it ensures the happiness of this life and the life after death. As Manu said ·

> (The duties of) this order (*Grhastha*), which cannot be practised by men with weak organs, must be carefully observed by him who desires imperishable (bless in) heaven, and constant happiness in this (life).[13]

Marriage is only *Samskara* through which a Hindu can enter into the life of *Grhastha*, where the husband and the wife are united according to

divine order to effectuate one harmonious whole. This *Samskara* unites the two in spirit, in bone, in flesh and in skin[14], which is necessary for performing one's religious duties. According to Manu ·

> To be mothers were women created, and to be fathers men , religious rites, therefore, are ordained in the *Veda* to be performed (by the husband) together with his wife [15]

Manu again said :

> The husband received his wife from the Gods, (he does not wed her) according to his own will , doing what is agreeable to the Gods, he must always support her (while she is) faithful [16]

2 Marriage constitutes the basis to achieve four great objects of the life of a Hindu, viz., *Dharma* (religious duties), *Artha* (wealth), *Kama* (desire) and Moskha (salvation). As cited in the *Mahabhaata*

> A man's half is his wife , the wife is the husband's best friend , the wife is the source of *Dharma, Artha, Kama* , the wife is the soul of salvation [17]

3. Marriage is the best way of having a son whose birth is pre-eminently vital for confirmation of spiritual benefit and continuity of line. In the *Rg-Veda, Agni* is prayed for the good wealth of a son who would perform the *Jaynas* (sacrifices) to Gods, the *Pitrs* (forefathers) and keep up the family worship [18] Later, in the *Samhita*, the *Brahmanas* and the *Sutras*, son becomes a religious necessity [19] According to the *Satapatha Brahmana* the three worlds are conquered through a son—the world of Gods by his learning, the world of *Pitrs* by his sacrifices, and the world of man by his begetting offspring [20] In the *Dharma-Sutra* period *Baudhayana* thinks that a son saves his father from the fear of sin ; he saves him from the fear of six sins in the ascending line and six in the descending line.[21] *Vasistha* points out that the father throws his debts on the son and obtains immortality, if he sees the face of living son.[22]

Thus by permitting to enter in the life of a *Grhastha*, by constituting the basis to achieve four great objects of life, and having the way of getting son which is necessary for social and spiritual benefit, marriage leads a Hindu in the path of the ultimate end and took the position of a most important and necessary *Samskara*.

Ancient *Vedic* marriage was essentially a spiritual union. For all purposes, social or religious, the wife becomes the husband's *Ardhangini* (half of the body), and acquires the full status of a lawfully wedded wife In the husband's family her position was one of dignity and authority.

She wielded authority, directed the sacred fire and in the old age she taught sacrificial law to her children and in the same *Grhagni* over which she kept watch during his life-time in her husband's house. Through *mantras* the wife changes her *Gotra* (lineage) from that of her father's to that of her husband's There is a similarity with the early Roman and Greek conception of marriage As Muirhead said :

> With the early Romans, as with the Hindus and Greeks, marriage was a religious duty—a duty a man owed alike to his ancestors and himself In taking to himself a wife he was about to separate her from her father's house and make her a partner of his family mysteries [23]

As marriage is said to be sacred, it is irrevocable. The parties to the marriage cannot dissolve it at will They are bound to each other until the death of either of them. Since marriage is a kind of sacrament, rejecting divorce Manu says .

> 'Let mutual fidelity continue until death', this may be considered as the summary of the highest law for husband and wife [24]

Wife is supposed to be bound to her husband even after his death. The conception of marriage as an indissoluble union between husband and wife means they have to adjust their tastes and temper, ideals and interests, instead of breaking with each other when they find that these differ. According to Manu :

> Let man and woman, united in marriage, constantly exert themselves, that (they may not) be disunited (and) may not violate their mutual fidelity [25]

Marriage thus involves sacrifices on the part of both husband and wife as each is called upon to overcome the incompatibility of the other The success of marriage depends on where the love between husband and wife adds lustre to both, and where it is a source of joy to families of both—that is the only type of marriage which is worthy In fact it is a sacramental alliance between two persons, two families and two communities.

In the marriage hymn of the *Rg-Veda* both the spouses, in hand-clasp, recite *mantras* before the sacred *Vivahagni* (fire of marriage) and confer upon themselves the holy sacrament of marriage. They swear fidelity to each other, point out the moral object of marriage and impress upon each other the joint obligations. The priest and the girl's father enjoin them to understand each other and respect each other's rights and sentiments

Later, the *Vedic-Samhitas*, the *Brahamanas* and the *Grhya-Sutras* support all these rituals of marriage as a *Samskara*.

In short, the agreement between husband and wife in marriage is not in black and white but in their conscience, heart to heart. They do not sign the contract but they promise with themselves in front of sacred fire which is unbreakable The only condition of this contract is mutual understanding and selfsacrifice which is based on unconditional love Through the *Kanyadana* (marriage ceremony) bride's father gives her as a gift to the groom by bringing their hands together. He accepts the gifts by saying the hymn :

Who offered this maiden ?
To whom is she offered ?
Kama (God of Love) gives her that
I may love her.
Yes, love is the giver
and, love is the acceptor.
Enter thou (on my bride) the
Ocean of Love, with love, then
I receive thee.
May she remain thine
Thine own, O God of Love !
Verily, thou art (Oh my bride)
Prosperity itself.
May the heaven bestow thee
May the earth receive thee.[26]

Through the sacramental agreement, based on unconditional love, Hindu husband and wife establish the micro-unite of society and perform the social duties and responsibilities together. By performing religious duties and maintaining their lives according to religious moral code they guarantee the social morality and establish the ideal of morality in family. On the other hand, as a *Grhastha*, by keeping and taking care of the temporal family-property they secured the material life of their children as well as the society So, a Hindu marriage, as a *Samskara*, plays proper role for an ideal society.

Thus, Hindu marriage becomes a social duty towards the family and community and there is little idea of individual interests. Demand of personal gratification and pleasures are secondary and the individual is

called upon to make marriage a success by means of compromise and adjustment.

To sum up, it can be said that Hindu marriage leads husband and wife towards their social and spiritual benefits. As *Dharma-Sutrakara Apastamba* said that the marriage ideal is the unity of husband and wife not only in the matter of performing sacrifices and sacraments, but also in the acquisition of spiritual merit and temporal property. There can be no division between husband and wife, they are one in religion and law.[27] So, marriage as a *Samskara* unites the family life, fulfils the aims and objects of social and religious life and thus leads us to the path of *moksha* (salvation).

Aims of Marriage

As one of the most important *Samskaras* Hindu marriage has some definite aims These are said to be *Dharma*[28] (performance of religious duties), *praja*[29] (progeny) and *rati* [30] (sexual pleasure) Among these three objects *Dharma* is given the first place while progeny and sex are given second and third places respectively. It is because Hindu marriage is a sacred duty completed only on the sacred rites accompanied by sacred *formulae.* It is considered as an essential and inseparable part of *Dharma.* As discussed earlier that marriage is such an important *Samskara* without which a Hindu cannot enter into the life of *Grhastha. Grhastha Asrama* is treated as most important and necessary because

1. Only a *Grhastha* can perform the *Panca-Maha-Jaynas*[31] (five great sacrifices) daily with his wife in order to successively expiate from the fetters of his daily committed sin.[32] It is a daily duty prescribed by *Dharma* and it is only on the death of the householder that these obligations ceased Thus *Panca-Maha-Jaynas* are interrupted on the death of the wife, and hence the *Grhastha* is enjoined immediately to take a second wife.
2. Only a *Grhastha* can properly play the *Pancarna* (five debts) which is the necessary *Dharma* for a Hindu, and
3. Manu declares *Grhastha Asrama* as the most excellent of all *Asramas.*[33] Moreover, he considers *Grhastha* as the best support of three other *Asramas*[34] and as the source of happiness in this material life and other worldly life [35]

For the above reasons performing the responsibilities of a *Grhastha* is an essential *Dharma* of a Hindu and the marriage is the only gate-pass to

this life. Probably for this *Manu* considers marriage as a security of the benefits of this life and the life after death.[36]

In a nutshell, it can be said that through marriage a Hindu accepts the fundamental doctrine of *yajna* and performs his responsibility towards the society and his ancestors as prescribed by *Dharma* Thus, *Dharma* is regarded as the highest aim of marriage in Hinduism.

This is not the end of the story about the purpose of marriage in Hinduism To give birth of male offspring is also considered as a very important purpose of marriage Early Aryan societies exhibit great anxiety for progeny, particularly for male offspring. In the wedding hymn of the *Rg-Veda Purohita* (Brahmin) prays to *Agni* (fire) to give to the husband 'the wife with progeny'.[37] On entering her husband's house benedictions are showered on the bride .

> Loving the God's, delightful, bearing heroes, bring blessings to our bipeds and quadrupeds [38]

There are more evidences in the verses of the *Veda* praying for male offspring[39], and legitimate opportunities that marriage provides for *rati* (sexual pleasure) are only meant to serve this end But the aim of the prayer for male offspring should not be forgotten in this connection.

As discussed earlier, we have seen that the motive for male offspring is mainly *Dharma* dominated It is an essential religious duty or *Dharma.* Thus, marriage for having a male offspring is *Dharma* dominated in character. As W. H R. River opines :

> the most important function of wife was doubtless that bringing into the world a son in order to perform the necessary funeral rites to his father and continue the race [40]

So, marriage of a Hindu is not so much for sex or for progeny but for obtaining a partner for fulfilment of one's religious duties. Marriage is thus primarily for *Dharma,* the fundamental aim of the marriage is *Dharma* and hence the wife is called *Sahadharmini* (partner for *Dharma*).

In short, Hindu marriage does not deny the aim of progeny and sexual pleasure, but its aim is *Dharma.* Marriage becomes *Dharma* with the full recognition of practice of social duties. Thus, in a sense marriage and religion in Hinduism are complementary and supplementary to each other.

Hindu Marriage Systems

Various marriage systems were practised among the Hindus of which eight were traditionally recognized, and of which only two or three survive today. These eight systems are : *Brahma, Prajapatya, Arsha, Dawa, Gandharva, Asura, Rakshasa* and *Paisacha.* Briefly these systems are as follows[41] :

1. *Brahma* : It is the gift of daughter properly bedecked and ornamented to a learned man of good conduct and respectable connections. It forms the basis of the regular Hindu marriage, arranged by the parents, attended by religious ceremonies Formerly, this form of marriage was open only to the *Brahmins,* but now adopted even by the *Sudras* Examples are found in the marriage between *Siva* and *Parvati,* and *Vasishtha* and *Arundhati.*

2 *Prajapatya* : In this system of marriage the bridegroom proposes to bride's father for his daughter and does promise to marry her Bride's father gives his daughter to the bridegroom with the injunction that "both of you perform your duties together, united in holy wedlock"

3. *Arsha* . This system of marriage is practised only among priestly families, where the father of the bride received a pair of kine from bridegroom for the purpose of sacrifice or for facilitating the performance of sacrifices requiring cow's milk. It is a relic of the bride price and is now obsolete. An example is found in the marriage between *Agastya* and *Lopamudra.*

4. *Dawa* : In this system a girl is given on the sacrificial platform to a priest for a religious sacrifice. Also obsolete, it is exemplified in the marriage of *Chyavana* to *Sukanya.*

5. *Gandharva* : It is the marriage of a desiring woman with a desiring man. This is the romantic type of union springing from affection and love, and nuptial rites. When accompanied by rites it ranks with the highest forms of marriage. An example is seen in the marriage between *Dushyanta* and *Sakuntala.* A variation of the *Gandharva* was the *Svayamvara,* now obsolete, where the bride herself chooses her husband from a number of assembled suitors.

6. *Asura* : This is a system of marriage by selling of the bride. This system of marriage is condemned by *Manu* in the Law books as

immoral since it encouraged the marketing of daughters. The marriage of *Pandu* and *Madri* is an example of the *Asura* system of marriage. An inverse system of this marriage is almost universal today, for a high price (dowry) is paid not for the bride but for the bridegroom.

7. *Rakshash* : It is a heroic marriage system, where a woman is carried off as a prize of war, and is married without the consent of her father, usually by her captor Examples of this marriage system are seen in the case of *Arjuna* and *Subhadra*, and *Krishna* and *Rukmini*.

8. *Paisaca* · This is a system of marriage by rape, where the girl was carried off by force or under false pretext, or ravished while she was asleep, intoxicated or unconscious, or against her will and girl's marriage was accepted as having been accomplished to confer on her legal status of a wife. *Aniruddha* and *Usha's* marriage is an example of this system

In the *Rg-Veda*, later in the *Samhitas*, the *Brahmanas* and in the *Grhya-Sutras* we do not find these systems bearing any specific name. It is for the first time in the *Gautama Dharma-Sutra*[42] that enumeration of eight systems of marriage is made, and specific name is given to each system which is continued in the later *Sutras* and the *Smrtis*. *Baudhyayana* also mentions these eight systems.[43] *Gautama* mentions *Brahma*, *Prajapatya*, *Arsa* and *Daiva* as approved systems (where *Gotra* or lineage of the wife changed to her father's to that of her husband and wife becomes *Grahapatni* of marriage. *Gandharva* and *Asura* are lawful according to him.[44] According to *Baudhyayana* the above mentioned four systems are approved. He adds *Gandharva* as good for all castes.[45] *Apastamba* mentions only six systems and omits *Prajapatya* system from the group of approved marriage and *Paisacha* from that of unapproved marriage [46] *Vasistha* also omits *Prajapatya* system.[47] Later, *Manu*[48], *Visnu* and *Yagnavalkya* mentioned all the eight systems.

The normal sacramental marriage in the *Rg-Veda* and right up to the *Dharma-Sutras* was ideal *Prajapatya* system and the *Brahma* system made its appearance only from the *Dharma-Sutra* age.[49]

The above mentioned eight systems of marriage, described eight methods of obtaining a wife really resolved themselves into three systems of marriage : the gift of the bride—*Brahma*, the sale of the bride—*Asura*, and the agreement between the man and the woman—*Gandharva*.[50] Only

the first system was approved ın the *Vedıc* age Now-a-days the *Brahma* is the popular marriage system ın rich societies and the inverse system of *Asura* marriage ıs popular among the poor. In Bangladesh they are known as *Dane vwaha* and *Pone vwaha* accordıngly

Ceremonies

Hındu marriage, as a sacrament, ıs ceremonial. It ıs to be seen that in Hındu marriage there ıs no sıngle ceremony, rather there are steps of ceremonies and these variety of ceremonial steps are found from the *Rg-Vedıc* period down to present time :

1. The solıcıtıng of the hand of the gırl ın marriage, usually preceded by acquaıntance and friendship of the brıde and the brıdegroom and betrothal called *Barana.*
2. Brıdegroom ıs receıved with due honour in the brıde's father's house.
3. The prıests kındle the holy fire and the brıde and the brıdegroom sıt before the fire and make *Jaynas* (offerings) Thıs ıs *Vıvaha Homa.*
4. The brıdegroom takes the brıde's hand and ın front of nuptıal fire points out to her the social, moral and relıgıous objects of marriage and they go round the *Vıvahagnı,* changed the *Gotra* of the brıde by *Mantras* Thıs ıs *Panıgrahana.*
5. The brıdegroom makes the brıde to step on a pıece of stone, enjoınıng constancy (thıs ıs an addıtıon made ın the *Atharva Veda* and becomes the *Saptapadı*).
6 Benedıctıons are poured on the couple. The prıest and the brıde's father say wıth emphasıs to the couple "not to be parted", and to be unıted in theır secular and relıgıous dutıes tıll death.
7. The brıde's new status ıs pronounced as the 'mıstress of husband's house', as 'empress'; the brıde is made cognızant of her concerns and responsıbılıtıes
8. The brıde is escorted ın a charıot to her husband's house, Dowry and the nuptıal fire beıng carrıed before the charıot.
9. On enterıng the house benedıctıons are poured on the couple, the *Vıvahagnı* is installed ın the husband's house as the *Grhagnı*

of the couple and then they are made to sit on red hide skin (this is an addition of *Atharva Veda*) and make offerings to the *Agni*.

10 The bride and the bridegroom partake of cooked food which unites them in body, flesh, blood, bones, skin, and life (this is an addition from the *Grhya-Sutras*)

11. In the night the husband takes out the wife in open space and points out to her *Arundhati* and the Pole Star (this is an addition in the *Grhya-Sutras*)

12 In the evening of the fourth day the couple performs the *Caturthi Homa* (this also in an addition in the *Grhya-Sutras*).

13. In the fourth night is consummated the marriage (but in the *Dharma-Sutras* the element of consummation disappears).

Now-a-days the marriage ceremonies vary considerably, depending on caste, sectarian belief and local customs But still there are some common elements of ceremonies

These features are *'pani-grahana'* (hand-grasping) or the acceptance of the bride symbolized by the man taking hold of the girl's hand over the sacred fire In such a ceremony groom says :

> I seize thy hand that I may gain fortune , this am I, thou art that , I am the words thou the melody , I the seed thou the bearer , the heaven I, the earth thou [51]

Another common feature is called *Sapta-Padi* (seven steps). Here the bride and the groom together take seven steps before the fire. Each step representing a particular blessing, namely, food, strength, wealth, happiness, progeny, cattle and devotion The priest sprinkles the couple with holy water After completing *Sapta-padi* the bridegroom places his hand over bride's heart and says

> Into my heart will I take thy heart , thy mind shall follow my mind [52]

Finally, the forehead of the bride is marked with red lead, and water is sprinkled on the head of the couple.

In this way, each and every ceremonial function of Hindu marriage aims at performing the rituals of *Dharma* and bears special significance about the life-long unity, happiness, prosperity, mutual understanding of each other, and above all, religious sentiments inducted by the *Sastras*.

So, according to Hinduism, marriage and ceremonies are *Dharma* oriented. The renowned Indian scholar Sarvapally Radhakrishnan's comments may be quoted in this connection He says .

> The Hindu ideal of marriage is essentially a fellowship between a man and a woman who seek to live creatively in partnership for the pursuit of four great objects of life *Dharma, Artha, Kama* and *Moksha.*[53]

Forms of Hindu Marriage

History shows three forms of marriages in the Human societies as a whole. They are

1 monogamy · between one man and one woman ;

2 polygyny . between one man and two or more than two women , and

3. polyandry : between one woman and two or more than two men

Hinduism as such is no exception. The above mentioned forms of marriage are to be found in Hindu marriage.

The Aryan ideal of marriage was very high [54] Monogamy was the rule among the aryans, although polygyny existed to some extent. The existence of polyandry and matriarchy is hardly found in Aryan society.

It seems that in Aryan society polyandry was not much supported by morality. Examples of polyandry is found later in the mystical Vedic texts and the case of Draupadi having more than one husband is seen in the Epic. Though in later texts we find some other examples of polyandry such as the marriage between Jatila and seven Rsis, but these can be considered as exceptions and at large common people did not welcome it on the ground of violating the principle of morality We see that King Drupada, the father of Draupadi, was shocked and astonished at the proposal of marrying his daughter by the Pancha-Pandavas (five princes). In reply to this proposal King Drupada said

> It is ordained that a husband can have many wives but we have never heard that a wife can have many husbands You who know the rules of morality must not commit an act that is sinful and opposed to both the *Vedas* and the usage [55]

The polyandry is forbidden in the *Vedic* period and is supported by Dr Keith He says .

> Polyandry is not shown by a single passage to have existed among the *Vedic* Aryans [56]

Moreover, the *Vedic* rule expressly declares that a man may have several wives, but a woman cannot have many husbands [57] In the *Brahaman* literature we find specific prohibition against polyandrous

marriage. When we come to the *Sutras*, i e the *Grhya-Sutras* or the *Dharma-Sutras*, and the Principal *Dharmā-Sutras* , i. e *Smrties*, there is absolutely no trace of polyandry. In fact polyandry does not appear to have ever entered the Aryan Law.

Thus we see that polyandry was not a popular and lawful marriage in *Vedic* times. Side by side, we see that polygyny was common, frequent and lawful in the time of the *Rg-Vedic Samhita*.[58] The term *Sapatni* (co-wife) is frequently used in the *Rg-Veda Samhita*.[59] Cases of polygyny among kings, nobles and sometimes even among the priests have been frequently instanced in the *Rg-Veda*.[60] The term *Mahisi*, used in the *Rg-Veda* implies the chiefship of a particular wife over other wives of a king.[61]

It is, therefore, clear that polygyny was a licensed custom in the *Rg-Vedic* age though not the normal and common form of marriage which was monogamy alone. In spite of the instances of polygynous connections marrying one wife was only the normal feature, the standard of the society. Though polygyny obtained mostly among the military chiefs, princely families and very few influential priests, but the common people normally married a single wife. The ideal was a 'never parting'[62] 'united pair'[63] 'sharing the same married pleasures'[64] and the happiness of married couple lay in the 'twining of their arms about each other'[65], and in 'each welcoming the love and embraces of the other'.[66] Apart from few exceptions the *Rg-Veda Samhita* makes mention of a single wife.[67] For instance, except *Indra* (who had more than one wife) most of the Gods—*Varuna, Mitra, Agni, Soma, Sarasvan* married to a single wife Most of the cases of polygyny are found in cases of slave-girls taken as *Vadhus* (wedable women) and it has to be noted that allusions to polygyny are made mostly either to military chiefs or to intellectual aristocrats It is extremely doubtful if such references have been made to ordinary citizens for whom monogamy was and always remained the ideal as well as the practice in *Rg-Vedic* age [68]

In short, it can be said that monogamous marriage was the only approved marriage in the *Rg-Vedic* age, though, later, in the *Samhita* and the *Brahmanas*, (*Taittiriya* and *Aitareya*) the custom of polygyny appears as an approved (taking slave-girls wedable women) custom. Later, in the *Dharma-Sutras* we find a well marked reaction against the custom of polygyny [69]

And, so we can conclude that the monogamy is the ideal form and is popularly practised by the people. Sir Sarvapally Radhakrishnan's view can be remembered in this connetion. He says .

> In an ideal marriage the genuine interests of the two members are perfectly reconciled The perfectly ethical marriage is the monogamous one The relation of Rama and Sita, or Savitri and Satyavan, where the two stand by each other against the whole world, is idealized in the Hindu scriptures [70]

Inter-caste Marriage

It is a subject of controversy whether the Aryan society was casteless during the *Rg-Vedic* time But before the end of the *Rg-Veda* period a belief in the divine origin of the four orders of men—*Brahmana, Rajanya* or *Kshatriya, Vis* or *Vaisya* and *Sudra* was fully established [71] In the period of the *Yajurveda* these orders had developed into social orders According to the authors of the *Vedic* Index the *Vedic* characteristics of *Varnas* (caste) are hereditary and for pursuit of a common occupation From the viewpoint of caste system Hindu marriage could be classified into two forms · Exogamous and endogamous. Exogamous marriage, i e inter-marriage between persons of different caste was certainly not uncommon in the earlier period In the *Rg-Veda* there is not even an indirect hint which may reasonably be construed as forbidding inter-marringe and inter-dining Many are the instances in the *Rg-Veda* where not only priests marry Rajanya princes, but also Rajanyas marry daughters of priests [72] We find the instance of Chyavana, a priest, getting wedded to a Rajanya maiden Exogamous marriage has two forms—*Hypergamy* and *Hypogamy* Marriage between Rsi Suavasva and King Rathaviti's daughter, Brahmana Rsi Vimada and Rajanya princess Kamadya are the instances of *Anuloma* (hypergamy) marriage, where a man of higher caste takes as his wife a woman of lower caste. Similarly, we find many instances of *protiloma* (hypogamy) marriage, where a man of lower caste takes as his wife a woman of higher caste Marriage between Rajanya King Asanga, the son of Playoga and Brahmana Rsi's daughter Sasvati,[73] King Savanya's marriage with a Brahmana wife[74] are the instances of such marriages

Though inter-caste marriage is not uncommon in *Rg-Vedic* age, from the beginning, *Anulomas*, inter-marriages in the order of caste were apparently more frequent than those in the reverse order *Partiloma* By the time of the *Dharma-Sutras* and the Code of *Manu, Protiloma* marriage had come to be definitely forbidden.[75] Finally, inter-caste marriage between *Brahmana* and *Sudra* was forbidden by *Manu* and Yajnavalkya[76] for keeping the Brahmana blood pure But the marriage of Hindu Sudra with a non-Hindu or a converted Hindu is not prohibited under the Hindu Law apparently because they are considered as Sudras

The *exogamy* of the Hindus have two aspects—*'sapinda' exogamy* and *'gotra' exogamy*. The *sapinda exogamy* prohibits marriage between persons related to each other within certain generations on the father's and the mother's side This marriage is applicable to all castes in India and Bangladesh The *gotra exogamy* prohibits marriage between members of the same gotra (sagotra), where the bride and bridegroom are from a common ancestor

But in the later period the inter-religion, inter-caste, even the sagotra marriage is permitted by law. The Special Marriage Act of 1872 accepted inter-religion and inter-caste marriage as valid, Hindu Marriage Disabilities Removal Act of 1946 validated sagotra marriage and the marriage between different sub-divisions of the same caste. Hindu Marriage Validity Act 1949 permitted marriage between two different religions, castes, sub-castes or sects. Finally, the Hindu Marriage Act of 1955 removed endogamous restrictions of caste and exogamous restriction of *Gotra* for the valid marriage, though not *sapinda exogamy*.

Among the above mentioned Acts none but the Act of 1872 is applicable to Bangladesh *Sagotra* marriage is accepted as valid to all other castes except Brahmins, and *Sapinda* is prohibited for all castes of the Himdus of Bangladesh.[77]

Divorce and Remarriage

a *Divorce*

If, according to Hinduism, marriage is a *Samskara* based on *Dharma* and *Moksha*, and prescribed as a perfect life, then naturally there is no place for divorce in it. In the *Vedic* period the marriage was irrevocable, and divorce was not permitted at all. This denial of divorce is clearly expressed in the *Rg-Veda* and in the *Law of Manu*.[78]

But during the period of the social reformation movements led by renowned reformers like Raja Rammohon Roy and Ishwar Chandra Vidyasagar Hindu Marriage Law has also gone through certain changes. Divorce and dissolution of marriage is permitted on the mutual consent of both the parties by the Hindu Marriage Act of 1955 in India.

It may be mentioned here that this Act is only applicable to the Hindus of present India, not to those of Bangladesh. But the Special Marriage Act of 1872 (with amendment of 1923) includes the Indian Divorce Act of 1869 and is applicable to Bangladesh. Here only those who

are getting married under this Act enjoy the right to divorce under Indian Divorce Act of 1869 The latest Act in this regard is Hindu Married Women's Right to Separate Residence and Maintenance Act of 1946, passed by the British rulers, which is still in force in present Bangladesh.

b. Remarriage

Though divorce was not permitted in the *Rg-Veda* and the *Law of Manu*, remarriage of man is allowed on the following ground :

1. If the wife expires, as we have discussed earlier, *Garhastha* life is incomplete without wife
2. a. if the wife is a drunk ;
   b. if she is of bad conduct ;
   c if she is rebellious ;
   d. if she is sick ; and
   e if her character is loose.

We read from *Manu* :

> She, who drinks spirituous liquor, is of bad conduct, rebellious, diseased, mischievous or wasteful, may at any time be superseded (by another wife) [79]

3 a. if the wife produces only dead children ,
   b if the wife produces only daughters ; and
   c. if the wife is of quarrelling character.

We read from *Manu :*

> A barren wife may be superseded in the eighth year ; that wife may be superseded in the tenth year whose children (all) die , that wife may be superseded in the eleventh year who bears only daughters ; that wife may be superseded without delay who is quarrellsome.[80]

4 If the husband takes necessary consent from the wife, where the wife is sick but kind and virtuous in her conduct.

We read from *Manu* :

> But a sick wife who is kind (to her husband) and virtuous in her conduct may be superseded (only) with her own consent and must never be disgraced [81]

Though remarriage of a man is considered lawful under above conditions, in the marriage *Mantras* of the *Rg-Veda* the remarriage of a widow is nowhere indicated even faintly. The *Grhya-Sutras*, which faith-

fully preserved and in some cases elaborated the original *Vedic* marriage ritual, are positive that only a virgin maiden can be taken as a wife and such a girl can have a *Vivaha Samskara* There are several evidences in the *Grhya-Sutras* that the bride must be a virgin maiden.[82]

Widow remarriage is not given the status of *Samskara* and she cannot be a lawfully wedded wife according to *Dharma Law* So, it does not appear to have risen to a sacramental marriage in ancient Hindu Law.

But we find an attempt made by *Vasistha* to raise such a marriage to a *Vivaha Samskara* in case of virgin widow only [83] Later on, *Yagnavalkya* gives the status of *Samskara* to such marriages and even in the case of deflowered widows *Narada* and *Parasara*, in the late *Smrti* period, made widow marriage a *Samskara*, even in the case of widows with children. Inspite of this it does not appear to have been assimilated into our law and this marriage was not popular. As a *Samskara* it does not appear to have taken root in the social life. *Manu*, who came after *Vasistha*, outrightly forbade a second marriage as a *Samskara* to a woman whether the husband be living or dead.[84] *Kautilya* in his *Arthasastra* recognizes the remarriage of woman in certain cases or under certain conditions [85]

In the middle age the second marriage of a woman was declared null and void The practice raised by the *Vasistha*, *Narada*, *Parasara* and *Kautilya* was annihilated. An abominable practice—the practice of *Sati* of which Hindu law was pruned by regulation XVII of 1829, obtained in India for sometime. A woman, on the death of her husband, was required to immolate herself on his funeral pyre

On the other hand, it can be said that widow remarriage was not very unknown in the *Rg-Vedic* society There are verses sufficient to provide evidence obtaining in the society under which the widow marries her *Devara* (the younger brother of her husband) in order to produce children.[86] The evidence of eight kinds of marriages[87] and twelve kinds of sons[88] are recognized in the *Vedic* society From this it can be said that remarriage of a widow and even separation from husband and co-habitation with another were not unknown in the *Vedic* society. Even, co-habition before marriage is implied in the enumeration of various kinds of sons.[89] Inspite of these facts, still the sacramental marriage was the only ideal marriage and no *Samskara* was given to the remarriage of a widow though her potential as a mother was sought to be exploited by recourse to the secular union of the widow with her *Devara* and such a

union could not confer on her the status of a *Patni*, where she could become the mistress to the house

In the *Atharva Veda* , however, we do come across a couple of texts giving some indication that a kind of ritual was possible for the second marriage of woman [90] But there is not even an indirect reference made to a *Samskara* for a second marriage of a woman [91]

In order to meet the social reality and for the recognition of the equal rights of the women the Hindus launched reformation movement and as a result the remarriage of the widow is legally approved and an Act has been passed in this regard which is known as Widow Remarriage Act of 1856. But in such marriages no religious ceremonies are needed[92] and hence it does not come uner *Samskara.*

Sexual Morality

Hinduism gives significant importance on the sexual morality of both man and woman. Even from the *Vedic* age the standard of female morality appears to have been high [93] The chastity of women of all the four castes was to be carefully protected and respected, though the degrees of punishment depended to some extent upon the caste of the offender [94] Adultery was a serious offence as well as a sin on the part of both the wife and the adulterer. Both were punished with severity and had also to expiate their sins by appropriate penances [95] The unchaste wife was compelled to perform penances, receiving bare maintenance [96] If a son was born of an adulterous wife or widow both the adulterer and the son were excluded from social functions as well as from invitation to ceremonies [97] If wife conceived as a result of adultery her abandonment was ordained and she had no claim even to maintenance [98] In the *Sutra* period, *Apastamba* (600 B C.) declares

> If a man approaches a woman who had been married before or was not legally married to him, they both commit a sin Through their sin the son also becomes sinful [99]

Though prostitution and illicit unions certainly existed, both in the *Vedic* period and afterwards, the segregation of dancers and prostitutes is itself an indication that the standard of average sexual morality was very high. The evidence of the whole Hindu literature including *Dharma-Sastras* leads us to that conclusion It is better to mention here that though the male offspring is desired both for the social (to continue the

race) and spiritual benefit, secondary son (irregular born or born to other) was not approved.[100] No spiritual benefit was obtainable through irregularly produced sons[101], as declared in the *Rg-Veda* :

> A son begotten of another, though worthy of regard, is not to be contemplated even in the mind as fit for acceptance, for, verily he returns to his house Therefore, let there come to us a son new born, possessed of food and victorious over foes [102]

Moreover, a special status has been given to chastity for keeping high standard of sexual morality of both male and female. Comment of *Manu* for the sexual morality of male is noteworthy here :

> Many thousands of *Brahmanas*, who were chaste from their youth, have gone to heaven without continuing their race [103]

His comment for the female in this regards is as follows ·

> A virtuous wife after the death of her husband constantly remains chaste, reaches heaven, though she has no son, just like those chaste men [104]

Therefore, it can be assumed that while it is true that the ancient Aryans longed for offspring, they recognized at the same time the need for their wives remaining chaste rather than they should have offspring anyhow. The emphasis on the need for male offspring was more than counterbalanced by the instance of the need for sexual morality in Arya

The sexual relation between the brother and the sister was morally unapproved in the early *Vedic* age. It is found in the *Rg-Veda Samhita* between the dialogue of *Yama* and *Yami*, the son and daughter (twins) of *Vwasran*. *Yami* passionately implores *Yama* to draw close to her and take her in his arms, make her his consort. After a long debate *Yami*, in support of her arguments, said :

> Is he a brother when no lord is left her ? Is she a sister when Destruction cometh? Forced with my love these many words I utter Come near, and hold me in thy close embraces [105]

By this *Yami* implies and perhaps alludes to an old custom when the brother was considered the natural husband of the sister. But *Yama* emphatically replies that such a custom, if there was any in the past, has been declared sinful by the people of his age. The *Yama* said :

> I will fold mine arms about the body , they call it sin when one comes near his sister Not me — prepare thy pleasures with another , thy brother seeks not this from thee, O fair one [106]

In Hinduism sexual union between husband and wife was not treated only as a gratification of biological desire. Our Aryan fore-fathers imprega-

nated every act with symbolism. Everything had to be done with the aid of sacraments and in profound religious and spiritual dignity. Therefore, when the husband proceeds to become intimate with his wife, he approaches the nuptial bed with due ceremony. It was a sacred act and the following *mantras* were recited :

United our *mana* (minds)
United our *hrdaya* (hearts)
United our *nabhih* (nabal)
United our *tanu* (body)
That bond shall be indissoluble.[107]

While the husband embraces his wife he recites :

Be devoted to me,
be my companion for the life.[108]

He then prays to the god *Vishnu, Agni* and *Indra* for the birth of a male offspring and also recites the verse :

I do with the work that a sacred to God ;
May an embryo enter the womb ;
May a child is born without any difficulty,
with limbs, not blind, not lame ;
Not sucked out by the devil.[109]

So, in Hinduism, sexuality is considered as a refined mutual relationship for the satisfaction of the body, the mind and the soul of both the husband and wife. Therefore, sex in ancient Indian religion was not looked upon with abhorrence, but its functions were clearly recognized. *Vatsyayana* has treated sex in a cold scientific spirit and the purpose of his *Kamasutra* (the oldest breviary of love) points to one of the earliest attempts at sanity in sex life.[110] His whole purpose to write *Kamasutra* is to strengthen married life by perfecting its technique and thus make man more virtuous.[111] Thus, a great Hindu thinker Sir Sarvapalli Radhakrisnan opines about marriage and sex :

> There is nothing unwholesome or guilty about the sex life Through the institution of marriage it made the basis of intellectual and moral intimacies. Marriage is not so much a concession to human weakness as a means of spiritual growth [112]

Resume

Now, with all it's dimensions and perspectives Hindu marriage can be summarised in the following ways :

1. That for the first time in the history of religions Hinduism considers marriage as a *Samskara* (sacrament) and thus considers marriage as a religious duty. So, according to Hinduism marriage is totally and basically *Dharma* or religion oriented.
2. That marriage is a necessity and it implies the social responsibilities. It ultimately leads us to salvation. So, sex in the marriage is never a primary function, rather it is a secondary function and thus marriage creates a social unit and moral ideal which are the nucleus of mankind.
3. That through marriage ceremonies the bride and the bridegroom commit to each other for love, sacrifice, mutual understanding and religious and social responsibilities.
4. That by accepting monogamy as an ideal standard and by denying divorce Hindu marriage gives high esteem of morality and sexual purity.
5. That by emphasising on sexual purity Hindu marriage works as an antidote of social abominable practice.
6. That through Hindu marriage the male and female become complete and in separation become incomplete, and it signifies the co-operative interdependency of each other. Thus, through marriage the male and female perform the duty directed by Supreme Being and develop a common ideal for the mankind as a whole.

In fine, with all its dimensions and perspectives marriage of a Hindu is *Dharma* oriented and a step towards salvation both for himsalf and his ancestors and predecessors. And thus, it unites the living and the dead, synthesises theory and practice.[113]

Notes and References

1. The *Sastra* is a *Sanskrit* term meaning 'Sacred book'. The *Sastras* are the four sections of Hindu scriptures consisting of the *Sruti, Smrti, Purana* and the *Tantra.*
2. The *Sruti* is the highest type of revelation which is directly revealed to the *Maharsis* by Divine *Vedas* are so regarded. *Sruties* or *Vedas* are the main source of Hindu religious rite Vedas are divided into four parts the *Samhita,* the *Brahmana, Aranyaka* and the *Upanishada.* The *Brahmana* elaborates and elucidates the ritual and contains the symbolic meaning of *Samskaras.*
3. The *Smrti* is the immemorial tradition handed down from generation to generation, having their ultimate source in revelation It is regarded as the revelation of lower

order *Smrties* fall under two categories the *Sutras* and the *Dharma-Sastras*. The *Vedangas* are the first *Sutra* works which comprised of six different *Sutras* The *Kalpa-Sutra*, one of the six *Vedanga-Sutras*, deals with religious practices directly connected with the *Brahmanas* *The Kalpa-Sutra* is divided into three categories The *Dharma-Sutras* dealing with social, moral and legal aspects of peoples daily life, the *Sutra-Sutras* dealing with the performance of priests, and the *Grhya-Sutras* dealing with the *Samskaras* and other duties in the daily life of man The *Dharma-Sutras* are believed to be earliest Indian works on law, fully of religious duties such as Taxes, Inheritance, Marriage, *Strdhana*, Sonship, Partition and Debts *Gautama*, *Baudhayana*, *Apastamba* and *Vasistha* are the most noteworthy among the *Dharma-Sutrakaras* The age of the *Dharma-Sutra* is put between 750 B C — 300 B C

The *Dharma-Sastras* are inverse and posterior to the *Dharma-Sutras* The principal *Dharma-Sastras*, popularly known as the *Smrties*, are those of the *Manu*, *Yagnavalkya*, *Narada*, *Parasara*, *the Brhaspati* and the *Katyayana*.

4 The *Rg-Veda* is the oldest original and historical among the four Vedas It formed the bed-rock of the religious belief of the Hindus The *Rg-Vedic Samhita* are discernible the old paractice, social structure, family constitution, political set up, legal level which have so profoundly influenced the growth of Hindu society The *Rg-Veda* is considered as the genesis of Hindu family law, which assumes consistency and stability in the succeeding periods

5 The *Law of Manu* or *Manu-Smrti* is the chief of the *Dharma-Sastras*, based on the ancient *Dharma-Sutras*, is the ancient Hindu codes. The code of Manu is mainly a treatise on ethics and law (for details, see Sinha, J N , *History of Indian Philosophy* (Calcutta, 1956), vol I, 43, and Reese, W L , *Dictionary of Philosophy and Religion Eastern and Western* (New Jersey 1980), 609)

6 *Rg-Veda*, X 85

7 Rapson, E J (ed), *Cambridge History of India*, (Cambridge 1992) vol 1, 88

8 The popular story of the *Mahabharata* that *Svetaketu*, the son of *Uddalaka*, established marriage as an institution and before him women moved freely and consorted with men as cattle (*Adi-Parva*—122) is disproved by the *Vedic* evidence of marriage as *Samskara*. The legend of *Svetaketu* must be taken to relate evidently to an age much anterior to that of the *Rg-Veda*.

9 *Rg-Veda*, X 85

10 *Ibid.*

11 Dhar, S and Dhar, M K , *Evolution of Hindu Family Law* (Dehi, 1986), 74

12 For the sacraments of Roman Catholicism, See Reese, *Dictionary of Philosophy and Religion Eastern and Western, op cit.*, 505

13 *Law of Manu*, 79

14 *Paraskara Grhya-Sutra*. I · 11, 5

15 *Law of Manu*. IX 96

16 *Ibid* , IX 95

17 *Adi Parva*, 159

18 *Rg-Veda*, VII 4, 10

19 Two factors are responsible for the religious motive for having a son, viz., first, the *Yajur-Vedic* doctrine of the three Dabts—Debt due to the *Devas*, of sacrifice , Debt due to the *Rsis*, of *Vedic* studentship , and Debt due to the *Pitrs*, of offspring From

these Debts he gets absolved by performing sacrifices, by becoming a *Vedic* student and by procreating children (see, *Taithiriya Samhita* VI 3, 10, 5), and secondly, the *Yajur-Vedic* and *Atharba-Vedic* doctrines of *Sraddas* And this is continued with unabated vigour in the *Brahmanas* and *Sutras* Later on it comes to be propounded that a man transfers these three Debts to his son the moment he sees the face of a living born son

20 *Satpatha Brahmana*, XIV 4, 3, 24-25

21 *Baudhayana Dharma-Sutra*, II 9, 16, 9

22 *Vasistha Dharma-Sutra*, XVII 1

23 Muirhead, *Historical Introduction to the Private Law of Rome quoted* in Mayne, J D ,, *Hindu Law and its Usages* (New Delhi) 12th ed., 103

24 *Law of Manu*, IX 101

25 *Ibid* . IX 102

26 Banerjee B N , *Hindu Culture, Custom & Ceremony* (Delhi, 1979), 170

27 Kapadia, K M , *Marriage and Family in India* (Bombay 1955), 168 & 169

28 *Baudhayana Dharma-Sutra* I 11, 21, 2 and *Apastamba Dharma-Sutra*—II 5-14 and II 6, 14,16

29 *Rg-Veda* X . 85, 24-25, 42-45 , *Guatama Dharma-Sutra* IV · 29-33 ,

Apastamba Dharma-Sutra II 9, 24, 1-4 , and

Vasistha Dharma-Sutra XVII · 1-5

30 *Rg-Veda* X 85, 22, and

Gobhila Grahya-Sutra II 5 1 7

31 "Let him never, if he is able (to perform them), neglect the sacrifices to the sages (study of *Vedas*), to the Gods (the burnt oblation called *Homa*), to the bhutas (to feed the animals, i e , cats, dogs etc), to men (*hospitality* of guests), and to manes (offerings of water and food, called *Tarpana*)" (*Law of Manu*, IV 21 cf III 70-71, 74)

32 *Ibid.*, III 68, 69

33 *Ibid.*, III 78

34 "As all living creatures subsist by receiving support from air, even so (the members of) all orders subsist by receiving support from the householder". (*Law of Manu :* III . 77)

35 *Ibid.*, III 79.

36 *Ibid.*, III 20

37 *Rg-Veda*, X 85, 38

38 *Ibid.*, X · 85, 44

39 *Ibid.*, X 85 45 , IX 69 8 , V 23 2 , I 21. 5

40 "Hindu Marriage Age", in Hasting James (ed) *Encyclopaedia of Religion and Ethics*, (New York) Vol 8, 450

41 See, Benjamin Walker, *Hindu World*, (London, 1968), Vol. II, 39-40.

42 *Gautama Dharma-Sutra*, IV 6-15

43 *Baudhayana Dharma-Sutra*, I · 11, 20, 1, 10-16

44. *Ibid.*, IV · 6-15

45 *Ibid.*

46 *Apastama Dharma-Sutra*, II · 5, 11, 15-20, II 5, 12, 1 3

47 *Vasistha Dharma-Sutra*, I 28-29

48 *Law of Manu*, III 20, 26

49 Dhar and Dhar . *Evolution of Hindu Family Law*, 77.

50. Mayne, J D , *Hindu Law and its Usages*, 105, 115

51 Benjamin Walker, *Hindu World*, 39-40

52 *Ibid.*

53 Banerjee, B. N., *Hindu Culture, Custom* and Ceremony, 177.

54 Rapson, E G ed , *Cambrige History of India* (Cambridge 1923), Vol 1, 88

55. *Mahavarata, Adi-Parva*, 197.

56 Rapson, *Cambridge History of India.* cf *Vedic Index*—I 478-479

57 *Acteraya Brahmana*, III 2, 12 ,
Taittiriya Samhita, VI . 6, 4, 3

58 *Rg-Veda*, I 62, 11, I · 105, 8, VII · 18, 2; I 71, 1, VII 26, 3, I 59, 4, V · 4, 76.

59 *Ibid* , III . 1, 10.

60 *Ibid.*, I 62, 11; I : 71, 1, I · 104, 3, I 105, 8 , I 112, 19 , I · 186, 7 , VII 18, 2 , VII 26, 3 , X 41, 1 ; X 101, 11

61. *Ibid.*, V . 2, 2 , V · 37, 3.

62 *Ibid.*, X . 85, 42

63. *Ibid.*, X . 85, 47

64 *Ibid.*, X . 85, 37.

65 *Ibid.*

66 *Ibid.*

67. *Ibid.*, I . 124, 7, IV 3, 2 , X 71, 4 , X 85, 36

68 *Ibid.*, I 124, 7.

69. George Buller translated, *Secred Books of East, (Dharma-Sutras, Apastamba and Gautama, Vasistha and Baudhayana)*, (Delhi 1965), Vol II XIV, 181-183

70 Radhakrisnan, S. S , *The Hindu View of Life*, (London 1968), 61

71 *Rg-Veda*, I 54, 55, 92-94 10 · 90, 12.

72. Dhar and Dhar, *Evolution* of *Hindu Family Law*, 33

73 *Rg-Veda*, VIII . 1, 33-34

74. *Ibid.*, I · 126

75. *Gautama Dharma-Sutra*, IV . 25
Baudhayana Dharma-Sutra, I 16, 2-6
Vasistha Dharma-Sutra, I . 24-25.

76 *Law of Manu*, III 15-17.
Yagnavalkya (Rao Saheb V. N. Mandlik tr. Bombay 1980), I : 57

77. Mayne, *Hindu Law and its Usages*, 74
78 *Law of Manu*, IX 46
79 *Ibid.*, IX 80
80 *Ibid.*, IX 81
81 *Ibid.*, IX 82
82 *Hiranyakesi Grhya-Sutra*, I · 1, 19
Paraskara Grhya-Sutra, I 4, 5.
Manava Grhya-Sutra, I 7, 8
Asvalayana Grhya-Sutra, I 5, 2
83 *Vasistha Dharma-Sutra*, XVIII 71, 72
84 *Law of Manu*, IX 65, 46-47
85. Dr Jolly ed . *The Arthasastra of Kautilya and Schmidt* (Panjab Samskrt Series, 1923), III 4
86 *Vedic-Index*, I · 476-477
Rg-Veda, X 40, 2
87 *Gautama Dharma-Sutra*, IV 6-13
Apastamba Dharma-Sutra, II 5, 11, 17-20, II 5, 12, 1-2
Vasistha Dharms-Sutra, I 28.
Baudhayana Dharma-Sutra, I 11, 20, 1.
88 *Gautama Dharma-Sutra*, XXVIII 32-33.
Vasistha Dharma-Sutra, XVII · 12-39
Baudhayana Dharma-Sutra, 2, 3, 31-32
Law of Manu, IX 158
89 *Rg-Veda*, X 18, 8
90 *Atharva Veda*, XIV 1-2
91. Dhar and Dhar, *Evoloution of Hindu Family Law*, 169.
92 See, Saction 6 of the Widow Remarriage Act, 1856.
93 *Vedic-Index*, I . 479
94 *Law of Manu*, VIII . 359
95 *Ibid.*, VIII 352, 359, 372—376, 379 XI 60, 177.
96 *Ibid.*, XI · 177
Yagnavalkya, 70
97. *Gutama Dharma-Sutra*, XV 17, 18
Yagnavalkya, op cit., I 222, 224
Law of Manu, 174-175.
98 *Yagnavalkya*, I · 72
Vasistha Dharma-Sutra, XXI : 10.
99 *Apastamba Dharma-Sutra*, II 10, 27
100. *Rg-Veda*, VIII 46, 21
Vedic-Index, II . 17

101 *Brihadarnyaka Upanishad*, II 6, 3 IV 6, 1

102 *Rg-Veda*, VII 5, 8

103. *Law of Manu*, V 159

104 *Ibid* , V 160

105 *Rg-Veda*, X 10, 11

106 *Ibid* , X . 10, 12

107 Banerjee, *Hindu Culture, Custom and Ceremony*, 175-176

108 *Ibid.*, 176

109 *Ibid.*

110 Dr Moti Chandra, 'Foreword' of the *Kama-Sutra of Vatsyayana*, Tr. by Upadhyaya, S C , (Bombay 1961).

111 Lewinson, R., *A ,History of Sexual Customs*, cited in *ibid.* XIII

112 Radhakrishnan, S S ,*The Hindu View of Life*, 60

113 I express my deep sense of gratitude to Dr Pradip Roy, Associate Professor, Dept of philosophy, Dhaka University, for his kind and sincere help in writing this paper and clarifying some of the complex ideas

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CALLIGRAPHIC ORNAMENTATION OF THE QUWWAT AL-ISLAM MOSQUE : AN OBSERVATION ON THE CALLIGRAPHY OF THE SCREENS OF QUTB AL- DIN AND ILTUTMISH

SHAH MUHAMMAD SHAFIQULLAH *

Qutb al-Dın Aıbak (A. D. 1192—1210) founded the famous Jamı Masjid known as the Quwwat al-Islam (Mıght of Islam) probably in A. H. 592 / A D. 1195 at the site of the Hındu fort *Qıla Raı Pıthora* which was made the capital of the Muslim Power in India in 589/1193 The mosque was erected on the plinth of a Hındu temple out of the materials of twenty seven demolished temples[1] of the neighbourhood. Built in the typical Muslim plan the mosque possesses an open-to-sky courtyard enclosed by colonnades of which the western one measuring 135 feet by 32 feet constitutes the sanctuary now mostly ruined In the western part of the courtyard stands the famous *Iron Pillar* of the Gupta age of precisely the fourth century A massive arcade consisting of a lofty central arch 53 feet in height flanked by two lesser arches on either sides was built in 1198 in front of the sanctuary in order to screen the Hındu Pillars at the rear and provide an Islamic character to the monument as well as to exhibit the mıght of Islam to the new converts

Sultan Iltutmish (1211–36), son-ın-law and successor of Aibak, enlarged the area of the mosque by more than double extendıng the sanctuary on the north and the south with an arcaded screen containıng three arches on each side. He also added an outer court large enough to bring withın its compass the gıant *Qutb Mınar* enclosed by colonnades of which little now remain.

The most interesting features of this mosque are the two arcaded screens of the sanctuary, one built by Qutb al-Din Aibak and the other by Iltutmish. The former is decorated with deeply carved Indian vegetal motifs and calligraphy (pl. II) and the latter shows intricate arabesques, ornamental arched niches, floral and geometric designs and various types of calligraphic panels in true Islamic tradition leaving no vacuum on the entire surface (pls. III, IV) The calligraphic ornamentation of the mosque is described below.

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The eastern gateway of the Quwwat al-Islam mosque bears an inscription containing the name of Qutb al-Din as the builder of the mosque, but without any date[2]. The northern gateway of the same mosque shows another inscription bearing the name of Mu'iz al-Din Muhammad bin Sam at whose order the building of the mosque was undertaken in 592/1195[3] Both the inscriptions are transcribed on sandstone in simple *naskh* character with tall verticals and the blank spaces of the letters are filled with rosettes and foliate motifs. Dr. Rahman describes the style of calligraphy of these inscriptions as *naskh* with elements of *tughra*[4]. The basic characteristics of *tughra* are the symmetrical arrangement of the vertical strokes of the letters in a regular pattern, while the letters set at the base are to be clustered to form some decorative motif. In *tughra* sometimes letters and words are displaced and some are placed one above the other to give more decorative effect to the writings as well as to accommodate the text within a specific space But the inscriptions under study do not show any of the features of *tughra* described above, rather the style of calligraphy of both the inscriptions may be termed as *naskh* (round variety) with tall verticals (fig, 1).

Over the inner eastern gateway of this mosque another inscription dated 587/1191 is set. It is written in elegant *naskh* and the blank spaces of the letters are also adorned with nicely carved rosettes foliate motifs[5]. The inscription is believed to be a later addition[6], which is also evident by its nice calligraphic style than the other earlier calligraphic examples of this mosque.

Qutb al-Din's screen

The lofty arcaded screen (pl I) of Qutb al-Din to the sanctuary bears calligraphic ornamentation in broad scale marking contrast with rich pattern of deep carving containing Indian vegetal motifs, not unpleasant in the eyes of the *Sharia*, the loveliest of which has a spiral design having coils within its convolutions. Each of the arches of the screen is enclosed by a calligraphic panel that reaches upto the base of the piers which carry the arch. The face of each arch is also ornamented with calligraphic band that runs down to the base of the piers like the enclosing calligraphic band of the arch. Each of the calligraphic panels is again bordered by ornamental bands and mouldings. The calligraphy of the enclosing panel of the central arch shows *naskh* bearing Qur'anic verses[7] set against an

ornamental background. A bold creeper with innumerable tendrils ended in floral, leafage and scroll motifs including flower buds runs undulately across the background of the calligraphic panel giving it a Muslim ornamental look and contrasting with purely Hindu decorations of the piers The vertical strokes of the letters *alif* and *lam* of this calligraphic panel are decorated with wedge-shaped apices cut slantingly to the right (fig.2, Pl. II). The calligraphic panel of the face of the central arch that runs down to the base of the piers shows also similar type of *naskh* containing the verses of the Qur'an[8] and a historical epigraph bearing the date (probably the erection of the screen) 20th Zil qa'da, 594 (23rd September, 1198)[9]. The calligraphic bands on the faces of the side arches including the calligraphic panels enclosing them depict also similar *naskh* lettering as in the central arch on similar background ornamentation but of smaller shape. The texts of these calligraphic panels are the Qur'anic verses of different chapters and the Traditions of the Prophet.[10]

A close examination of the calligraphic panels of this screen reveals that the art of calligraphy of these panels is not much developed, the reasons being, perhaps, the non-availability of expert calligraphers and masons. These panels were probably executed by the Hindu masons who had no earlier acquaintance with the Arabic script. The letters of these panels, if considered individually, do not show much elegance. The tail of the letter *ra* has no perfect flourish at the end and the letter *waw* is written with a curve like *nun*. The ring of the heads of the letters *fa, qaf, mim* and their joining with other letters are not well executed.

Iltutmish's screen

The arcaded screen of Iltutmish both on the south and the north sides of the Quwwat al-Islam mosque is sumptuously decorated with calligraphic ornaments elegantly carved on red sandstone. The face of each arch of the screen is ornamented with calligraphic band in *naskh*. But unlike Qutb al-Din's screen, the calligraphic bands on the faces of the arches of Iltutmish's screen do not run down to the base of the piers, since all the arches of Iltutmish's screen spring from nicely carved engaged columns set at the outer angles of each pier. These columns are ornamented with geometric designs and calligraphic band of foliated kufic containing the phrase *al-mulku lillah* (kingdom is for God) Each of the arches of Iltutmish's screen, including the engaged columns from which

the arch springs, is enclosed by a wide calligraphic panel that runs down to the base of the pier. But unlike Qutb al-Din's screen, all the enclosing calligraphic panels of Iltutmish's screen are ornamented with plaited kufic of various designs of exquisite beauty. Although the upper parts of these enclosing panels are now missing, yet their lower parts, which still adorn the piers of the screen, are well preserved to speak about the original beauty of these panels. Each of the central piers of the screen that carries the bigger arches on the south and the north sides of the Quwwat al-Islam mosque contains one ornamental niche decorated with calligraphy and is placed at the middle of the pier just above the base. But this feature is missing in the side piers

The ornamental niche on the left pier (pl III) of the central arch on the southern part of the screen has a cusped arch which springs from two delicately moulded columns. The face of the arch is decorated with a Qur'anic verse[11] in *naskh* on plain background. The tympanum of the niche is adorned with plaited kufic[12], while the inner surface of the niche has geometric decoration Above the apex of the arch run two horizontal calligraphic panels of unequal width—the lower one is narrow in width and inscribed with a *Hadith*[13] of the Prophet in *naskh*, while the upper one contains the *kalima*, the first Muslim creed, inscribed in combined styles of foliated and plaited kufic The apices of the vertical strokes of the letters of this inscription are ornamented with half palmettes, while the plaited motif is inserted only in the word *Allah* in the centre of the inscription. The entire niche including these two horizontal calligraphic panels is again enclosed by a *naskh* calligraphic panel containing the *Traditions* of the Prophet[14] on plain background. Above this enclosing calligraphic panel runs a narrow horizontal panel of rosettes. The surface of the pier above this rosetted panel upto the peak is decorated with a wide vertical geometric panel flanked by a panel of arabesque scrolls on either side. These ornamental panels along with the niche below are again flanked by two vertical calligraphic panels[15], one on either side. The style of calligraphy of these vertical panels is *thulth*[16] with wedge-shaped tall verticals interwoven with arabesque scrolls and foliated motifs These calligraphic panels are again flanked by two arabesque panels.

The calligraphic bands and other ornamentations of all the piers of Iltutmish's screen are almost identical in panelled setting excluding the niche and the vertical ornamental panels above in the side piers. However, minor variations in the plaited motifs of the enclosing panels of

the arches are to be noticed The enclosing calligraphic panel[17] of the central arch of the southern screen shows plaited roundels (pl III) while the enclosing panels[18] of the side arches of that screen exhibit elaborate continuous plaited motifs above the writings.[19] Plaited motifs in the enclosing calligraphic panel of the central arch of the northern screen (pl IV, figs. 3, 4) are more distinct than the plaited motifs of the southern screen and are separated from each other by a pair of tall verticals of plain character.[20] One more variation is to be seen in the insertion of the *Kalima* in *thulth* in a horizontal panel above the niche of the left pier of the central arch of the northern screen instead of the *Kalima* in combined foliated and plaited kufic described above, in the same location at the left pier of the central arch of the southern screen [21]

To sum up, calligraphic ornamentation in the sultanate architecture of India began with the Quwwat al-Islam mosque (1195—98). The eastern and the northern entrances and the arcaded screen of the sanctuary of the mosque are decorated with calligraphic panels The style of calligraphy of these panels is simple *naskh* showing nothing of artistic merit. The poor rendering of these calligraphic panels was perhaps due to the lack of expert calligraphers in India prior to the accession of Iltutmish to the throne of Delhi. With the accession of Iltutmish (1211) the Muslim hold on the northern India became firmly established and this encouraged artists and masons of trans-Indian Muslim countries to migrate to India in search of employment The coming of the Muslim artists from other Muslim lands during the reign of Iltutmish is evident from the inscribed name of the architect Muhammad Amir Kuh[22] possibly a native of Firuz Kuh of Afghanistan, near the doorway of the third storey of the *Qutb Minar* which is undoubtedly the work of Iltutmish. Besides, calligraphic panel of *naskh, thulth* and various types of kufic along with typical Islamic ornaments such as arabesque and geometric pattern on the screen of Iltutmish of the Quwwat al-Islam mosque and on the subsequent monuments of this Sultan also exhibit the work of eminent calligraphers, who might have come from Afghanistan and Persia, the nearer Muslim countries to India.

In the arcaded screen of Qutab al-Din of the Quwwat al-Islam mosque the calligraphic bands bearing the sayings of Allah (*kalam Allah*) were almost overshadowed by deeply carved indigenous motifs (pl. II). This problem was, however, solved in Iltutmish's screen (pls. III, IV) in the same mosque, where indigenous deep carving was discarded and Muslim

preference for low-relief-stucco-design style was transcribed in stone. The geometrical and other typically Islamic designs were executed in low relief while the calligraphic bands bearing the verses of the *Qur'an* were boldly carved in comparatively high relief giving prominence to the sayings of *Allah*.

As far as the style of calligraphy is concerned, the Quwwat al-Islam mosque exhibits three kinds of *naskh*, namely simple *naskh*, *naskh* with tall verticals and *thulth*, and two kinds of kufic, such as foliated and plaited kufic. But the *thulth* (which is virtually a bolder variety of *naskh*) and the plaited kufic constitute the predominant styles in the embellishment of the screen of Iltutmish in the Quwwat al-Islam mosque. The *thulth* of the Quwwat al-Islam mosque is generally characterized with vigour and strength, but lacks in delicacy and refinement. Elongated vertical shafts of the letters *alif*, *lam* and *lam-alif* are written with bold flat and wedge-shaped apices, sometimes in crude form, slightly thin towards the tails. The curves, circles and the terminations of the letters, as well as the ligatures (*tarkib*) and interrelationship (*nisbat*) between the letters in most cases are not well proportionate. These drawbacks of the writings are not probably due to the lack of penmenship of the calligraphers who were understandably Muslims, but perhaps due to the unfamiliarity of the subject-matter to the indigenous craftsmen, who were master carvers but ignorant of what in the present case they were going to do.

Fig 1 *Naskh* with tall verticals from the inscription (A H 592/A D 1195) over the northern entrance of the Quwwat al-Islam mosque
(After *EIM*, 1911-12, pl XII, No 1)

Reading حَرَّتْ هٰذِهِ الْعِمَارَةُ بِعَالِي اَمْرِ السُّلْطَانِ الْمُعَظَّمِ

Translation : "This building was undertaken by the high order of the exalted Sultan ...."

Fig. 2. *Naskh* from the screen (594/1198) of Qutb al-Din in the Quwwat al-Islam mosque. (After photograph : Archaeological Survey of India.)

Reading : [انّهـا سا[ء]تْ مُسْتَقَرًّا وَمُقَامًا والّذ[ي]نَ]

(Al-Qur'an, xxv, verses 66-67)

Translation : "Evil indeed is it
As an abode, and as
A place to rest in.
Those who ...."

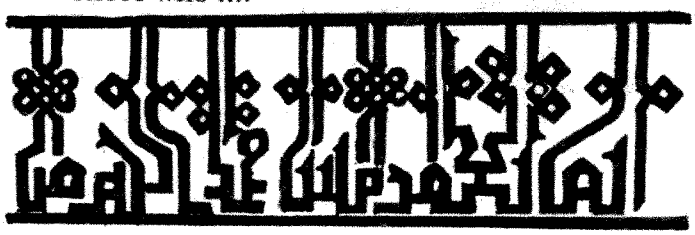


Fig. 3. Plaited kufic from the calligraphic band around the southern arch of the northern screen (627/1229-30) of Iltutmish in the Quwwat al-Islam mosque. (After photograph by the author .)

Reading : إِنَّمَا يَعْمُرُ مَسَاجِدَ اللّٰهِ مَنْ

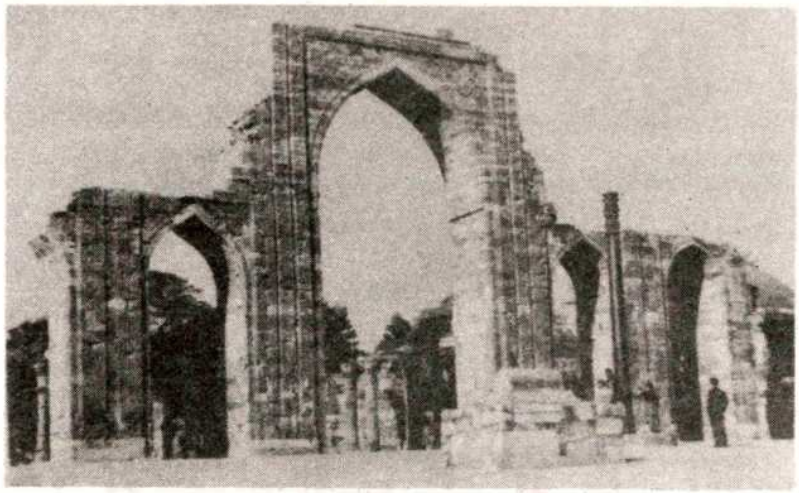
Al-Qur'an, ix, verse -18)

Translation : "Surely he builds the mosque of Allah who (believes in Allah and the last day ...)".

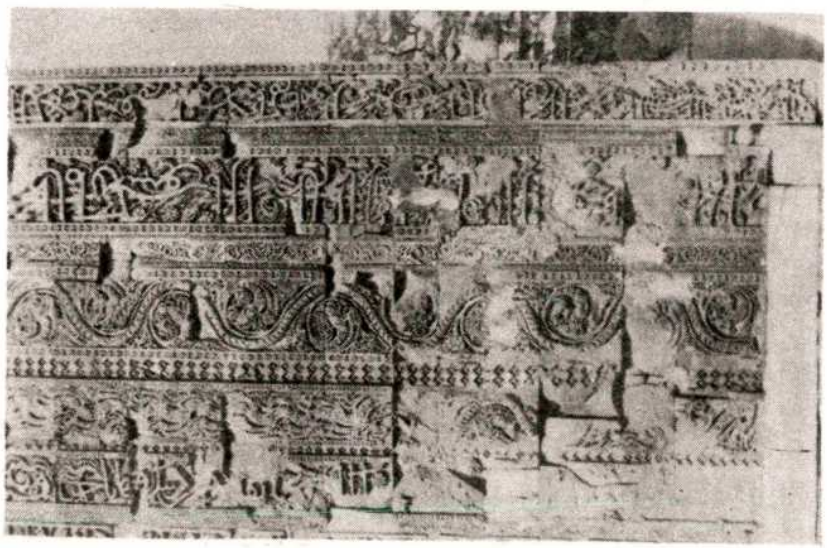
Fig. 4. Plaited kufic from the calligraphic band around the central arch of the northern screen (627/1229-30) of Iltutmish in the Quwwat al-Islam mosque. (After photograph by the author).

Reading : بِسْمِ اللّٰهِ الرَّحْمٰنِ ا[لرَّحِيم]

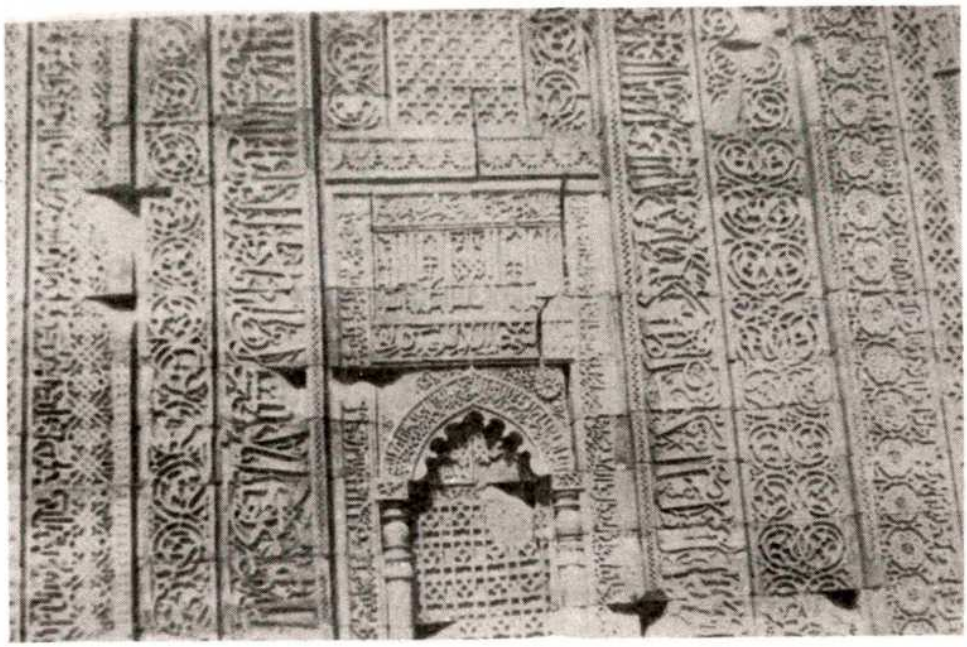
Translation : "In the name of God, the Compassionate (the Merciful).



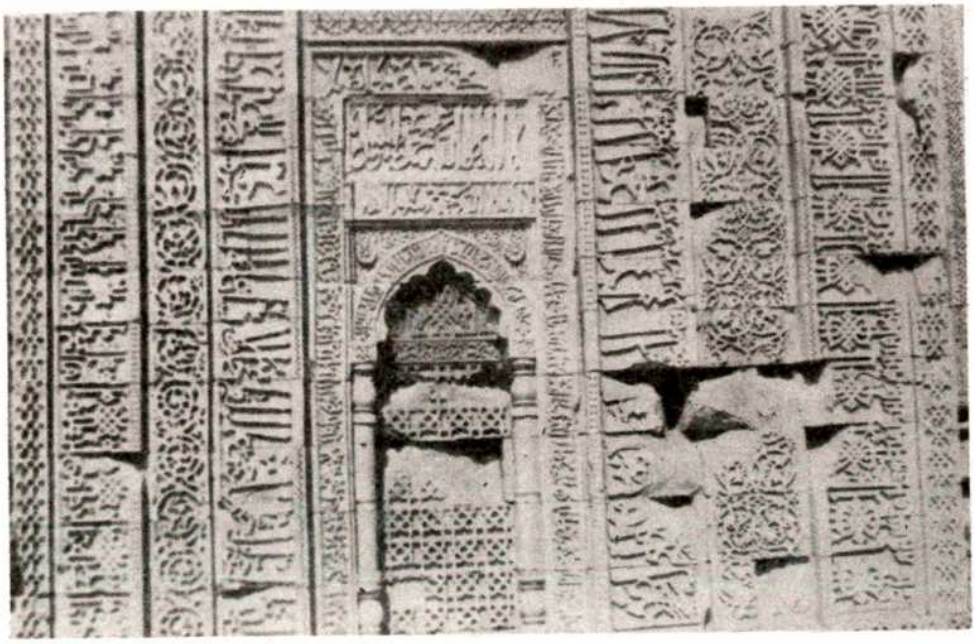
Pl. I. Quwwat al-Islam mosque, general view of the screen (594/1198) of Qutb al-Din, Delhi. (Photograph : Archaeological Survey of India).



Pl. II. Quwwat al-Islam mosque, calligraphic ornamentation in *naskh* on red sandstone at the southern pier of the central arch of Qutb al-Din's screen (594/1198). (Photograph by the author).



Pl. III. Quwwat al-Islam mosque, *naskh*, *thulth* and plaited kufic in red sandstone, juxtaposed on the left pier of the central arch of the southern part of Iltutmish's screen (627/1229-30. (Photograph by the author).



Pl. IV. Quwwat al-Islam mosque, calligraphic ornamentation in *naskh*, *thulth* and plaited kufic on red sandstone at the left pier of the central arch of the northern part of Iltutmish's screen (627/1229-30) (photograph by the author).

Notes and References

1. *Archaeological Survey of India, Memoirs* (henceforth ASIM) NO. 22, 29 ; No. 47, 113; *Epigraphia Indo-Moslemica* (henceforth EIM) 1911 —12, 13.
2. Sayyid Ahmad Khan, *Athar al-Sanadid*, (Reprint, Delhi 1965), 379, inscription No. 3; EIM, 14, pl, X.
3. Sayyid Ahmad Khan, *Athar*, 380, inscription NO. 5 ; EIM, 14, pl. XII, No. 1.
4. Pares I. S. M, Rahman, *Islamic calligraphy in Medieval India* (Dacca 1979), 26.
5. Sayyid Ahmad Khan, *Athar*, 379, 446, inscription NO. 4 EIM, 13, pl. XI.
6. EIM, 13, 14.
7. Chap. XXIII : verses 1 - 14, preceded by *bismillah*.
8. Chap. XVII : verses 1 - 5 and a part of the verse 6 with *bismillah* at the beginning.
9. Sayyid Ahmad Khan, *Athar*, 380, inscription No. 6. ASIM No. 47, 111; EIM, 15, pl. XII, No. 2.
10. See ASIM No. 47, 110 - 112.
11. Chap IX : A part of verse 112.
12. Quranic Chap. IX : the closing words of verse 112. See ASIM No. 47, 108.
13. The translation of the *Hadith* is "The Prophet, peace be on him, said, 'The mosque is the resort of the righteous."
14. For texts of the traditions, see ASIM No. 47, 108.
15. The left side panel bears the Quranic text chap. XVII : verses 1-4 and a part of verse 5 and the right side panel also contains Quranic text, chap. XVII: verses 10-12 and a historical epigraph dated 627/1229-30 which probably refers to the construction of Iltutmish's extension (ASIM 106-107). For historical part of the inscription see, Sayyid Ahmad Khan, *Athar*, inscription NO. 8,EIM, 23.
16. For footnote please see page NO. 16 inserted at the end.
17. Quranic verses, leftern part of the panel bears chap. XXXV: verse 1 and a portion of verse 2 and the rightern part chap. XXXV : verse 7-11 and a portion of verse 12.
18. For the remaining texts of the calligraphic panels of Iltutmish's screen see, ASIM No. 47, 106-10 and 112-14.
19. Pl. III (Calligraphic panel on the extreme left).
20. Pl. IV (Calligraphic panel on the extreme right).
21. Compare pl. IV with pl. III.
22. Sayyid Ahmad Khan, 400, 447, inscription No. 12; EIM, 32, pl. VIII, No. 2.

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MAINAMATI COPPER PLATE OF SRI VIRADHARADEVA

SWAPAN BIKASH BHATTACHARJEE *

The Mainamati excavation recovered eleven copper plates[1] of which seven from *Salban Vihara* and four from *Charpatra Mura* ranging from 7th to 13th century A D. Dr Alam mentioned the discovery of twelve copper plates—eight from *Salban Vihara* and four from *Charpatra Mura*.[2] He may have included the Mainamati Copper Plate of Ranavankamalla Harikaladeva, which was discovered towards the end of the year 1803 while digging earth for the repair of the highway through the Mainamati hills [3] Three *Charpatra Mura* copper plates of the Chandra rulers of Bengal have already been deciphered and edited by Prof. Dani [4] *Bangladesh Archaeology* contains a tentative reading of two more *Salban Vihara* Copper Plates of Balabhatta and Anandadeva by Kamala Kanta Gupta on the basis of his preliminary examination and study.[5] The fourth and last copper plate of *Charpatra Mura* belongs to a local Hindu ruler or Chief of the Vaishnava sect, named Sri Viradhara Deva, who issued it on the 9th day of Karttika in the 15th year of his reign.

The plate depicts the *wheel of Visnu* on both sides with a pair of *conch* in the middle top. At the end of the text is engraved the figure of a running dog. This is a single copper plate, engraved on both sides, measuring 9 inches broad and 11 inches long, including an inch raised portion in the middle where *Visnu Cakra* seal is engraved.

It contains 11 inscribed lines on the obverse and 12 lines on the reverse. Thus in all there are 23 lines in the plate. The size of the letters is $\frac{3}{8}$ inch on the obverse and $\frac{4}{8}$ inch on the reverse The script is proto Bengali, which closely resembles the letters of *Bodhgayā* inscription of Laksmana Sēna[6] and Gayā inscription of Gōvindapāla of 1175 A. D [7] The language is Sanskrit, written only in prose On palaeographical consideration this plate could be assigned to 13th century A D though the year recorded in the text is not related with certainty to any known era. The historical information available in the text is very scanty. However, this is a very important document for its script,

The earliest Bengali Poem *Charyapada* may be dated 10th to 13th century A D and at that time the Bengali Script started developing the proto Bengali variety

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The inscription opens with the name of Sri Ladaha Mādhava and simply describes the ceremonial donation of 34 pātakas of land (one pātaka is equal to 50 acres[8] i e , 1700 acres in total) to the God *Visnu* with the formal rules and conditions for the attainment of religious merit for himself and for his parents.

So, may be for simplification, contrary to the usual practice, the following omissions are found · The auspicious formula such as · *Om svasti*, genealogy of the donor king and eulogy on him are not included in the text So the King Viradharadēva of the plate remains unidentified His official seal bears the representation of a *Visnu Cakra* and *conch*, disclosing his profession of Vaishnava faith like the Varmans and Sēnas. The purpose of representation of a running dog at the end is intriguing and inexplicable It has not been possible to locate the place names, mentioned in the copper plate.

According to the historians, Viradharadēva is supposed to be a later King of Deva family[9], a minor Hindu dynasty of *Samatata Mandala* during the last part of the Sēna rule. The genealogy of the Dēva family is as follows :

1. Purusottama
2. Madhusudana
3. Vāsūdēva
4. Dāmodaradēva
5 Daśarathadēva

The Chittagong Copper Plate of Dāmōdaradēva records the following · In the family of the Moon flourished Purusottama. His son was king Madhusudana, whose son again was Vasudeva (V. 3). Vāsudeva's son was Dāmōdara (V 4)[10]. This plate was issued in the Saka year 1165 i. e , 1243 A. D [11] From other three copper plates of Dāmōdaradēva it is known that this King used the titles 'Sakala Bhūpāla Cakraborty' and Arirāja Cānura Mādhava"[12], which indicate his royal power. The Pākāmorā Copper Plate of Dasarathadeva, son of Dāmōdaradeva, praised his father as a renovator of his kingdom [13]

After Dasarathadēva the genealogy of the family remains incomplete and unknown for want of historical evidence. It has already been mentioned that the genealogy of the donor King is not mentioned in the copper plate under discussion Viradharadēva may have assumed his

power after Dasarathadēva[14], who ruled for at least 15 years as mentioned in his Copper Plate

The Chandra ruler Ladaha Chandradēva also donated 13 pātakas of land to the God Vāsudēva about 300 years earlier From Mainamati Copper Plate of Ladaha Chandra we know, "At Pattikeraka, Ladaha Chandra (1000—1020 A. D.) himself erected the image of Vāsudēva, which bore the name of Sri Ladaha Mādhava Bhattāraka after his own name. Or, probably his own name was derived from that of the diety. It is possible to take Ladaha as a corruption of Radhā."[15] Ladaha Chandra, though a Buddhist, paid homage to this diety, bestowed land grants and his Plate starts with a salutation to Vāsudēva. He donated about 13 pātakas land[16] to the diety and Viradharadēva donated 34 pātakas [17] The former land was in village Phullahara and the latter was in village Meshvabartā. Adhabasa and both were under *Samatata.*

The places remain yet unidentified and both have had some link, which requires due attention of the scholars. It may be mentioned here that the name of the villages or places mentioned in this copper plate remains in confusion due to some illegibility. The other name *Gangamandala*, mentioned in this Copper Plate is also found during the first phase of Hussain Shah's millitary conflict with the neighbouring kingdom of Tippera The conflict commenced when the ambitious ruler, Dhanya Mānikya adopted a policy of territorial expansion by occupying *Gangamandala, Pattikera* etc which were previously under the administrative control of Gauda.[18] Both the *Gangamandala* may be the same place. Now the text is as follows :

OBVERSE

Line

1. Śri Ladaha Mādhavavidhāna Śri Bāsu
2 dēva Bhattārakāya Śrimatā Śri Vi
3 radharadēvēn Punyeihani bidhiba
4 dudaka pūrbbakam Kritvā Bhagabantam Bāsu dé
5 ba Bhattārakamuddiśya mātāpitro rā
6 tmanaścha punya Yaśō bhi briddhaya tyācha
7 ndrārkka kshiti Samakālam Yābat bhumichchhi
8 dra nyā yēna Srimat Visnuchakra mudra yā

9. tāmra sāsanı Krıtya Śrı Pundravardhana
10 bhuktauantapāti Samatata Mandale
11 Bātaganga Vısayasam Meśvabarttā

REVERSE

12. Adhabasā gramayo hattagatta tarabalayam
13. lakshm gubākādi samēta dvādaśa Pātaka Ga
14. nga Mandal Vısyasam nārorāke hāttadi
15. Samēta Pāncha Pātaka ebam hattādi samē
16 ta Saptadaśa pātaka bhūmı Svasımā bachchinnā
17. trınaputhigochara Parjantā, satala soddeshasāmra
18. Pana sāsa gubaka narıkela salabanā sajala
19. Sthalā sagattorsarā chāta bhāta prabesha aki-
20. nchıt pragrayā samasta rāja bhogakara hiranya
21. pratyasahıtā pradatteti patram bhuyārtā
22. anayā tāmraphali Srımat Vıradharadēva
23 pādiya sambat 15 kārttıka dina 9

Translation

To the illustrious Vāsudēva, who is famılıar as Ladaha Madhava, the land is beıng granted on the occasıon of the coronation on this auspıcious day, after duly touchıng water for the merıt and fame of my parents as well as myself, for as long as the moon, sun and earth endure, at the Vıllage of Meshvabarttā and adhabasa under Bātaganga vısaya (Dıstrict) of Samatata Mandala of Pundravana bhukti, where donated 12 pātakas land along wıth market, staır, path, forest and lac of betelnut trees, at Ganga Mandala 5 pātakas land along with market and cocoanut trees and 17 pātakas along wıth market, coconut trees forest and branches, land and water, pıts and barren land exempt from all forced labour, not to be entered by Chattas and Bhattas, exempt from all dues, as well as wıth grass, putı plant and grazıng land accordıng to the prıncıple of Bhumıchıchıdra, whıch ıs gıven by me Srımat Vıradharadēva as my Copper Plate ın the 15th regnal year on the day of 9th Karttıka.

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8 K. Gupta, *Paschumbhag copper plate of Maharaja Sri* Chandradeva,N K Bhattasali Commemoration Volume, 193

9 R C Majumdar, *Banglar Itihasha* (prachin juga), 168—170

10 N G Majumdar, Chittagong Copper-plate of Damodara, Inscriptions of Bengal, Vol III, 159

11 *Ibid.*, 159

12 R. C Majumdar, *Banglar Itihasha* (prachin juga), 168

13 *Ibid.*, 168

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16 *Ibid*, 44-45

17 Dr F A. Khan and Dr A K M Shamsul Alam in their book 'Mainamati' mentioned 17 padas of land But it is clearly mentioned in the inscription as 'Pātaka' Moreover, they excluded 5 and 12 pātakas of land which is in total 34 pātakas

18 M R Tarafdar, *Husain Shahi Bengal*, 53

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PARTICIPATION IN THE LOCAL GOVERNMENT IN RURAL BANGLADESH : WHOSE ACCESS ?

MOHAMMAD HABIBUR RAHMAN*

Local government in Bangladesh has its origin in the precolonial ancient period However, it grew up as a crippled child during the British imperial rule Many observers find central control and bureaucratic dominance as the loopholes that still remained in the system after some experimentation in local government reform made under the military regime in united Pakistan. In the post-independence period, a number of attempts were made to reform the inherited administrative apparatus with a particular emphasis on people's wider participation in the development process. These reforms were politically motivated and aimed to strengthen the local support-base of the ruling regimes In 1982 a major local government reform was launched with the introduction of the *upazila parishad* (sub-district council), which, before its abolition in 1991, attracted interest from many national and international quarters for its ostensibly democratic structure and lofty promises towards the principles of participation Among General Ershad's other reforms, the creation of upazila was the most prominent one which still provides planners the scope for learning. However, the impact of the upazila administration on participation seems disappointing. The rural elites seem to have been the sole beneficiaries of the system. The central regime was alleged to have successfully abused it in its own political interest A fairly sound model of decentralization, the upazila failed to reduce the sufferings of the rural poor

Participation is a highly discussed policy issue. During the last few decades it has been advocated and implemented in many forms in response to increasing concern with the adverse effects of centralized bureaucratic administration. In the Third World in particular, the plea for participation was so great that it would be difficult to find a government that has not undertaken some form of policy in favour of participation in recent years But there has been much rhetoric about participation, the ultimate impact of which remains equivocal

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In Bangladesh experimentation with participation has yet to yield any definitive results on the basis of which any firm statement regarding the process of theory and reality can be made After decades of reforms in local government structures Bangladesh still faces the stark realities of increasing poverty and inequality. While some scholars still propose participation as a panacea, others reject the romantic view.

The focus of the study is the upazila reform which generated widespread debate and dominated the academic and political arenas of the country for nearly a decade before its abolition in 1991. More specifically, this study seeks to examine the socio-political impact of the *upazila parishad.* Based on the research works conducted by other scholars together with the survey conducted by this writer in Adamdighi upazila in Bogra district the paper is an attempt to explore the causes of recurring failure of the participative upazila scheme during Ershad regime

Participation : A Suggested Theoretical Framework for Discussion

Despite the ceaseless experimentations with participation and the ushering in voluminous literature, there seems to be no consensus as to the definition of participation.[1] It has become an umbrella term for a supposedly new style of development intervention and a central plank on which an alternative development strategy is to be built.[2] But there seems to be an agreement as to the centrality of participation as 'an indispensable feature of all forms of development'[3] and that participation can play a vital role in development by stimulating people's initiatives and mobilizing their resources.

At the operational stage of a development project, participation implies a systematic management system and a value that aspires to involve the people in each of the following phases of the programme/project cycle : the decision making, implementation, benefits and evaluation.[4] Ultimately, it is expected to empower the people by opening the gates of local governments and by ensuring 'a more equitable sharing of power and a higher level of political awareness and strength for the disadvantaged people' [5]

But with the passage of time it became evident that the concept of participation was probably over-burdened with promises and wishes and participatory development strategies have largely failed to live up to expectations. In many instances, it was observed that participatory initia-

tives failed to address the real socio-economic situations in most of the developing countries, which have only served the interests of the ruling regimes and their allies in the rural areas. The critics also warned that participation may in fact be used as an effective tool of control and centralizing the real exercise of state power by the central state on regional and local level. It is also argued by a number of scholars that there has not been any significant increase in popular participation in the so-called decentralized development programmes in the Third World (Samoff[6], Rakodi[7], Gilbert and Ward[8], Streeten[9], Blair[10], Huque[11]). Factors such as clientelism, cooptation and political mobilization play the crucial role in establishing central control over the local communities. In many Third World countries decentralization has not substantially increased citizen participation and has often reduced it as in the case of Tanzania, where the efforts to encourage participation and the Ujamaa policy in general, have apparently had no positive impact on rural production [12]

Albeit the cautions, nevertheless, participation continued to be at the core of development activities since the 1970s. Numerous rural and community development projects, concentrating on specific target populations (such as the poor, marginal and landless peasants, the industrial workers, the squatter population, vulnerable rural women and malnourished children) have been launched. These participatory experiments have been of diversified nature and magnitude and included programmes on credit supply, housing, health, education and so on. In their studies, Cohen and Uphoff[13], Gilbert and Ward[14], Oakley and Marsden[15], Blair[16] and Khan[17] examined participation as a key variable

Gilbert and Ward[18] examined the nature and scope of community participation within a different self-help urban poor development project in Colombia, Mexico and Venezuela. The objective was to search for the political objectives of the state from where the initiatives for development generated. The findings revealed that the whole programme was directed towards legitimization of the central political system and encouraging compliance with state policy. The study identified factors which played a crucial informal role in the whole process of community action rhetoric and helped to establish central government control over the local communities These factors are :

(a) Cooptation : A loosely formed group organised informally and led by local elites who are personally affiliated to the higher echelon of the

ruling party or government The government uses the local leadership for their interest. The local leaders also find it easier to pursue their personal interests through the mechanism.

(b) Political mobilization : The government and the political parties institutionalize the channel of political mobilization and control by utilizing public resources with the help of 'selected and pampered leadership',

(c) Clientelism : A patron-client relationship based on exchange of resource between politicians or administrators and local leaders. The relationship normally remains very informal with no legal bindings.

Streeten[19] raised some problems with the concept and the methods of its implementation while discussing a 'basic needs approach'. He felt that in history many corporate states under various forms of fascism encouraged participation of organized employees, workers and peasants In recent times many dictators use the method as a process of political manoeuvering and manipulation Streeten also mentioned that participation is not an 'end' in itself, it is a means to realize some goals [20]

Blair's study identifies the same issue in the rural development programmes and the administrative and local government reform initiatives in Bangladesh. He maintains that the three successive regimes from 1958 to 1988 in Bangladesh launched participatory government structure with the objective of winning the legitimacy battle and to maintain a local power base for useful political mobilization.[21] Khan [22], Huque[23] and Rahman[24] also hold the same opinion.

The Bangladesh Experience

In the 1950s and 1960s Bangladesh was a part of Pakistan, during which period the national macro-plan was formulated around a 'growth with percolation' type model In order to execute a centralized growth model the crucial role of a central bureaucracy was emphasized The role of local government remained secondary for economic development However, the first step to decentralize the administration was taken by the military ruler Ayub Khan in 1959. Ayub's (1958—69) four-tier 'Basic Democracies' was in fact a 'deconcentration' approach which came to have a political objective as well (Alavi[25], Sobhan[26], Ali[27])

Experiments in structural change and participative development started in the country after the independence in 1971 The government

inherited a centralized planning and administrative system as well as a popular demand for a more efficient service delivery system and participatory process of development. In 1975 the first democratic government led by Mujib (1971—75) introduced a radical reform in the administrative structure at the district level by transferring power from the centrally appointed bureaucrats to political 'governors'. The Mujib reform aimed at achieving wider people's participation in local development. But this plan of participatory development could not continue after Mujib was assassinated in August 1975 During Zia regime (1975—81) a new participatory institution called the *gram sarkar* (village government) was created in 1980 which he found politically useful to get support for staying on to power. The degree of participation was insignificant, but the *gram sarkar* was able to create an elite group in each village which was politically used by the ruling party (Huque, 1988, Blair, 1987, Abdullah, 1987, Khan, 1988)

After Zia was assassinated in 1981 the *gram sarkar* was abolished by the new military regime of Ershad, who seized power in March 1982 In his first year of office Ershad (1982—90) initiated the reform measures to decentralize the administration through the abolition of former sub-divisions and upgrading the *thana,* renaming it as upazila After Ershad lost his power in 1990, history was made again by the aspiring bureaucrats as they successfully overthrew the elected upazila chairmen from local power and abolished the upazila structure in 1992 The government's controversial 'U-turn' on the administrative policy endorses the view that the bureaucracy in Bangladesh will continue to influence the state policies in its own favour. Upazila was replaced by the old *thana* in an attempt to re-bureaucratize the local government structure as thousands of government officials were again given a free hand to control this most important tier of local government.

The Upazila Approach to 'Participation'

Theoretically, upazila was considered as a positive step towards creating a representative people's institution at the local level which had been given autonomy in budgeting and local level planning to ensure people's participation in development programmes. The *upazila parishad* was composed of people's representatives (elected) and government officials (appointed) Elected chairman was the key person to whom the official members were accountable However, a number of studies, inclu-

ding Khan[28], Abdullah[29], Ali[30] revealed that popular participation was still far from reality in Bangladesh On the other hand, it is argued that cooptation, political mobilization and clientelism played a crucial role in the whole process of so-called participation which only helped to establish the central control over the rural areas in the country.

Upazila, as a new strategy to encourage people's participation, was concentrated on two main directions · 'wage-oriented participation' and 'investment-orientated participation'. The strategy largely sought the participation of the top 10 percent of the people through the investment initiative and their entrepreneurial skill at providing waged employment to the less-fortunate.[31] But the intended investment from the so-called fortunate people did not contribute anything substantial, rather they Monopolized the benefit generated from the government grants as decision makers within the upazila and as contractor, supplier and other beneficiaries outside the upazila. [32]

The phenomenon of 'cooptation' and 'clientelism' became the distinguished features of the system. It is persistently argued that upazila became a successful network of cooptation, political mobilization and clientelism. In the name of participation, upazila successfully shaped the structure of the state where the civil and the emerging military bureaucracy evolved to develop shared political and economic interests to protect the local elites in order to secure their support for the exercise of the state power.

Upazila : The Network of Cooptation and Political Mobilization

Dictatorial military rule and participatory local government are the two closely related issues of the administrative history of Bangladesh. It is interesting to see that the more autocratic and centralized the national government became, the more it emphasized on 'decentalization' and 'participation' in local government. Upazila, the latest form in local government reform, looked quite sound in paper, but in reality, it never substantiated the claim of the government that participation had been ensured. On the other hand, it was observed that the upazila network has been tremendously abused by the military regime for its political objectives It was the upazila through which Ershad's military regime successfully got access into the vast unorganized masses, perpetuated by splitting and breaking opposition of political parties and finally managed to run presidential referendum, presidential election, parliament election

and forming a new political party by which its 'civilianization' process was completed in 1986[33].

It is important that the concept of state during Ershad regime should be tailored in a situation when "the class relations were shaped by the hegemony of the military".[34] Umar disapproved any dichotomy between civil and military bureaucracy during Ershad's rule. He strongly believed that civilian politics was betrayed by the regime Taking a leaf from Zia's experience in 1978 and also Zia-ul-Huq's (Pakistan) defiance towards the end of 1984 of political parties, Ershad decided to hold a referendum with the aim of proving that the Martial Law Administration in general and the rule of the Chief Martial Law Administrator in particular, had popular approval and was therefore legitimate. In the 1985 referendum the actual results were cooked, and a fake 94 7 percent victory was announced even before poling ended[35]. In the meantime, upazila strategy was adopted. Jahangir detected that the political motive was to initiate incremental changes, thus demobilizing the opposition in discussion and debates The time table for upazila election was a source of disagreement among the opposition It reinforced the bargaining position of the military against opposition and enabled it to "trade- off small scale changes for what amounted to large-scale continuity of its position" [36] It also segmented the opposition and successfully created a new political party called *Janadal* (People's Party), and later named *Jatya* Party (National Party) It attracted a large section of political leaders from two other main political parties—Mujib's Awami League (AL) and Zia's Bangladesh Nationalist Party (BNP). In his eight year rule Ershad strengthened his *Jatya* Party (JP) by politicizing the upazila for the local support that he desperately needed to complete his 'civilianization' process.

Upazila chairman election was held in May 1985. A number of studies tend to support the view that the elected chairmen were coopted and politicized by General Ershad.[37] The leading Bengali news paper *Ittefaq* conducted a poll and found that shortly after the election 204 of 460 upazila chairmen identified themselves as supporters of the ruling JP [38] Khan observes that the upazila election results emboldened the government to claim that the opposition political parties were confined to a few urban pockets while JP's suport base extended to the rural areas of the country [39]

Upazila election was held again in March 1990. This election, unlike the first one, was contested by a full range of political parties. AL and BNP had been losing local supports since the first upazila election in 1985 Between 1985 and 1990 virtually all upazilas came under the grip of Ershad. Although the opposition parties refrained from making their nominations public, they did ask their local party leaders to contest in the second upazila election However, there was evidence of widespread violence, killing and vote rigging all around All opposition parties have publicly stated that the upazila elections provided yet another proof that no elections could be free with Ershad in power.[40] In the election violence 18 people were reported dead across the country.[41] Table 1 shows how various local government systems under different regimes were politically abused for winning the national elections and legitimacy battle in Banglaesh

Upazila and Clientelism

Since nearly 85 percent of the total population of Bangladesh live in rural areas, any development plan must be rooted in the countryside The *upazila parishads*, covering the bulk of rural population, were therefore expected to eliminate poverty through resource mobilization and participation of the people in its development programmes But it is interesting to point out that as more and more local government reforms were experimented, the wider had become the gap between the rich and the poor. The concentration of land-ownership is fairly high among the rich peasants In 1985 the top 10 percent rural households claimed ownership of 50 percent of the land and 50 percent of rural households were functionally landless The number of landless households increased from 3.5 million in 1960 to 6 9 in 1982.[42] Average daily real wages of unskilled agricultural labour (55 percent of the total labour force) was Taka 6.15 (1 Taka = US $ 0 033) in 1983/84 compared to the wage of Taka 6 69 in 1973/74 and far below the wage of Taka 9.18 in 1963/64 [43] During the last four decades much has been talked about participation and development, but in reality per capita real income in rural areas has registered a decline and the vast majority of the rural poor have been caught in the grip of increasing impoverishment The middle peasantry is under tremendous economic pressure because of the high rate of concentration and dispossession of land ownership [44]

Table 1 : Politicization of Local Government for National Elections (1959-88)

Regime	Date of Taking over state power	Pattern of Decentralization introduced at Thana	Year	National Election/ referendum	Date	Winner of Election
General Ayub	September 1958	Thana Council	1959	Presidential referendum	February 1960	Ayub
				Presidential election	1965	
Sheikh Mujib	January 1972	Thana Development Committee	1972	Parliamentary election	March 1973	Mujib
General Zia	August 1975	Thana Parishad	1976	Presidential referendum	May 1977	Zia
				Presidential Election	April 1978	Zia
General Ershad	March 1982	Upazila Parishad	1982 upazila elections were held in 1985 and 1990	Presidential referendum	March 1985	Ershad
				Parliamentary election	May 1986	Ershad
				Presidential election	October 1986	Ershad
				Parliamentary election	June 1988	Ershad
Khaleda Zia	May 1991	Upazila parishad dissolved and Thana reinstated	1991	Parliamentary election	February 1991	Khaleda

Although participatory development strategies were launched one after another, the fruits of these were channelized to the rich who, as we have seen, provided the necessary political support to different regimes in state power. Understandably, the resources which were allocated for the poorer section of the population were actually distributed among the local powerholders through the officials and representative members of upazila. Hence, the poor people lost their access into the network of

distribution while a privileged few got the patronage of the state. Rahman aptly supports the view that benefits of participation were not enough for universal coverage. They were selectively distributed.[45] Sobhan and Ahmad's analysis gives another picture of the situtions .

> the rich peasants depend upon the state to provide modernizing inputs to enable them to make their holdings more productive They also seek to intermediate the flow of resources to small farmer so that surplus can be extracted from this class State resources are thus used as instruments of dependency which keep the rural poor in bondage to the rich peasants [46]

Data collected by Rahman show that the average income among a sample of 130 upazila chairmen was Taka 89000 which was well above the national average, as were their landholding, education and so on.[47] In fact, upazila leadership was composed of an elite, sitting at the top of the rural socio-economic structure, Rural elites controlled the *upazila parishads* in much the same way and through the same machineries of rural domination that had enabled them to prevail in earlier varieties of local self rule in Bangladesh and before that, in East Pakistan [48]

Abdullah moves a step further in criticizing upazila's role in participation. He explains that the upazila served only as a further lever of power in the hands of the rural elites and instruments of their enrichment through 'leakages' from the government-sponsored and foreign funded programmes like the 'Food for Works'. The rural poor and the landless labourers had little interest and no voice in the activities of the upazila Upazila meant little difference to this 'basic non-participation'.[49]

After attending 21 upazila meetings, the Bangladesh Academy for Rural Development (BARD) observation team found that almost 70 percent of 3-4 hour meeting time were devoted to the agenda of Food for Works Programme and Annual Development Plan which provided the local bureaucrats and the councillors more scope for misappropriation of resources [50] While the rich people were able to influence local decision makers in the *upazila parishad,* the unorganised and exploited poor remained outside any form of participation

The intervention of state in the name of 'participation' has developed a new pattern of dependency relationship between the central state, the local elites and the rural poor. The centrally manufactured process of distribution pours more resources into the hands of the already resourceful rich and deprives the resourceless poor. Bureaucracy plays a

critical role in the selective distribution mechanism. The benefits of decentralization are not evenly distributed When the central state gets a secured rural 'support', it sets the stage for its local agents to have their disproportionate share in the patronage at its disposal, and, as a result a dependent relationship gradually crystallizes between the central patron and local clients On the other side of the story are the landless labourers, share croppers and poor farmers who are traditionally dependent on the local elites for survival. But over the last few decades as more and more 'participatory programmes' were launched, more resources came in and the rural rich reaped the benefits State intervention contributed to widening the income-gap between the two classes.

The state satisfies itself by not only getting political support but also favouring the rural elites with whom it shares common economic and political interests The local bureaucracy ensures that the resources be channelled properly to the local rich. In the trade-off between the central and local state and between the touts and bureaucracy, the poor suffer the most

Non-Participation : More Empirical Evidence

The evidence of participation collected by this writer in Adamdighi in 1989[51] seems rather disappointing. However, the spirit of the people was enthusiastic at the beginning of upazila reform as 84 percent of the 250 respondent villagers approved the reform. However, this positive support gradually diminished over the years. The expression of enthusiasm were due to the fact that the upazila seemed to offer an unprecedented opportunity to form a basis for democratic principles and the establishment of people's power in the local government ; this is the view which people preserved in the initial years of upazila reform This view coincides with another set of data which shows how the level of people's participation in applying for services had gradually diminished under the previous *thana* system · from 48 5 percent during the *thana* council system (1959—72) the level of people's participation came down to 32 percent during the period of *thana parishad* (1976—82)

It would be interesting to see whether the enthusiasm of people has ended in a satisfactory level of participation in the upazila. This writer's survey data reveal that the level of people's participation steadily decreased during the 1980s when the upazila system was in operation The number of applicants approaching the upazila administration came

down from 211 (84.4 percent) in 1983 to 171 (68 4 percent) in 1988, while the number of people hoping to participate also fell from 188 in 1983 to only 97 in 1988, a decrease of 48 4 percent The corresponding loss of confidence in the upazila bureaucracy was instrumental in the overall decline in participation rates over the years. Those who lost confidence in the upazila system and in turn their interest in participating explained that their aspirations for equitable distribution of benefits and an effective and powerful *parishad* had been far from achieved. Neither the bureaucratic delivery mechanism, nor even their own representations succeeded in securing their hopes or their interests Table 2 illustrates a declining trend in people's level of contentment with the standard of services and distribution of resources from the upazila administration.

The survey of this study clearly demonstrates that the level of satisfaction with upazila services tremendously decreased over time Table 2 shows that in 1983, soon after the upazila system was introduced, 46 villagers (21 8 percent of the sample size including 82.6 from those whose income was either constant or decreased over the last twenty years) felt satisfied with the upazila administration. By 1985 it had decreased to 20 percent and kept falling to 18 7 percent in 1987 and only 16.4 percent in 1988, marking a decrease by 24 7 percent over six years. The better-off

Table 2 : Degree of Satisfaction with Upazila Services and Distribution of Resources

Income over Last Years	1983		1985		1987		1988	
	Yes	No	Yes	No	Yes	No	Yes	No
500% increased	2		2		1		1	
200%-499% increased	3		2		2		2	
1%-199% increased	3	2	6	1	5	1	6	1
Constant	15	51	9	36	11	42	4	45
Decreased	23	112	18	111	16	109	15	97
Total	46	165	37	148	35	152	28	143
% of Total figure of a Year	21 8	78 2	20	80	18 7	81 3	16 4	83.6

section of the rural population, however, found the upazila an attractive system in which to be a client. Not only did the number of these people remained steady, but more importantly, there was a little increase in their level of satisfaction as well The rate of decrease in poor people's satisfaction also coincided with the decreasing trend in their confidence in upazila bureaucracy

Conclusion

The strategies of participation, charted by different regimes in power, seem to fail to realise the historical aspirations of the people of Bangladesh. One of the reasons for this failure is that little attention has been paid to factors such as the strength of economic and political forces in the rural society. It is this strength and the implicit objectives of the state that clearly determined the nature of participation in the decentralized programmes of development. The planners, researchers, consultants and donors showed their profound interest in developing 'efficiency' in the administration of decentralization but remained little concerned about the socio-economic and political setting of the countryside where the 'efficiency' has to address the problems.

Class differentiation in Bangladesh is due not only to the uneven distribution of land and income but also to unequal access to the resource distribution system in decentralized local government. The experience with upazila reform explains how the classbased access structure leads to a widening of the income-gap between the rich and the poor The rural elites in Bangladesh have united and welcomed state intervention for pursuing their class interests. Early reforms for 'participatory development' contributed to protect and secure that interest of the vested alliance of the ruling politico-bureaucratic elites at the central and sub-national levels Upazila was also far from achieving its explicit objective of ensuring people's participation in development. It rather served as a mechanism for cementing an unholy collaboration between the national power elites and their local partners under the banner of 'participation'. Participation was used as a tool in the process of perpetuating state control over the crucial rural frontiers of the country. The people of the country felt betrayed after chasing another mirage of 'participatory development'. Their decadelong experience of upazila is so unpleasant that it will take a long time for the state to attract them again towards any new form of participatory local government.

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J Asiat. Soc Bangladesh, Hum. Vol 39, No. 2, December 1994

DECLINE OF WEBERIAN BUREAUCRATIC MODEL : A REVIEW

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In spite of its continuous decay and plethora of criticisms, the traditional model of public administration still occupies a core position in the government and political systems all over the world Derived from three ideas, such as the recommendations of the Northcote-Trevelyan report, politics-administration dichotomy of Woodrow Wilson and the traditional bureaucratic model of Max Weber, it emphasized mostly on the rigid administrative control and procedures. The traditional model of public administration, however, was established on two basic concepts of (a) bureaucratic model of administration and (b) particular convention of accountability and relationships between the political leadership and the administration.[1] Between these two, the former one is regarded as more crucial and controversial one in the realm of management theories. Since its formulation by Max Weber, the bureaucratic model has been playing very significant roles in the day-to- day functioning of the government machineries But due to the innate dysfunctional consequences, such as, conservatism with stereotyped ideas and resistance to innovation, this model is gradually loosing its universal appeal and application.

The aim of this paper is to review the traditional model of bureaucracy and its present stage of development With this aim in view, therefore, an attempt will be made to discuss the central issues, such as the historical perspective of this model and the causes of its subsequent decline However, it is essential to define the concept of the traditional model of bureaucracy itself

Definitions

Etymologically, the term 'bureaucracy' means 'rule by office' or 'rule by officials'.[2]

Generally, bureaucracy denotes a formal organization characterized by the rational operation of a hierarchical authority structure and explicit procedural rules.

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According to the *Encyclopedia of Sociology*[3], bureaucracy is used both to designate the tasks and procedures of administration as a collective word for a body of administrative officials which also indicates frequent inefficiency and improper exercise of power on the part of officials, and thus has become a term of abuse.

Blau and Meyer[4] defined bureaucracy as a type of organization designed to accomplish large-scale administrative tasks by coordinating the work of many people systematically The concept of bureaucracy, then, applies to organizing principles that are intended to achieve control and coordination of large organizations.

However, bureaucracy became formalized and systematic since it was defined by Max Weber. To describe rational-legal authority structure, he characterized bureaucracy as a core of administration He defined bureaucracy as a power instrument of the first order—for the one who controls the bureaucratic apparatus[5]. His ideal type formulation of bureaucratic characteristics has profoundly influenced subsequent research According to him, there are six principles of the ideal type of bureaucracy These are (cited in Hughes)[6] :

(a) The principle of fixed and official jurisdictional areas, which are generally ordered by rules, that is by laws or administrative regulations . . . . The authority to give the commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning the coercive means, physical, sacerdotal or otherwise, which may be placed at the disposal of officials.

(b) The principle of office hierarchy and of levels of graded authority mean a firmly ordered system of super and sub-ordination in which there is a supervision of the lower offices by the higher ones.

(c) The management of the modern office is based upon written documents ('the files') which are preserved The body of officials actively engaged in 'public' office, along with the respective apparatus of material implements and the files, make up a 'bureau' . . . . In general, bureaucracy segregates official activity as something distinct from the sphere of private life . . . Public money and equipment are divorced from the private property of the officials . . . .

(d) Office management, at least all specialised office management—and such management is distinctly modern—usually presupposes through an expert training . . . .

(f) When the office is fully developed, official activity demands the full working capacity of the official . . . . Formerly, in all cases the normal state of affairs was reverse : official business was discharged as a secondary activity

(g) The management of the office follows general rules, which are more or less stable, more or less exhaustive, and which can be learned. Knowledge of these rules represents a special technical learning which the officials possess It involves jurisprudence, or administrative or business management

Weber considered bureaucratic organizations as technically superior to any other form of organization. According to him, "the fully developed bureaucratic mechanism compares with other organizations exactly as does the machine with the non-mechanical modes of production. Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs—these are raised to the optimum point in the strictly bureaucratic administration, and especially in its monocratic form. As compared with all collegiate, honorific and avocational forms of administration, trained bureaucracy is superior on all these points".[7]

Historical Perspective

The first use of the term, 'bureaucratie' has been attributed to the economist Vincent de Gournay (1712-59). In the nineteenth century, under conditions of increasing state intervention, it came into regular use among European writers especially in Germany as 'burokreatie', to describe government officials. In England the term became current in the 1830s during resistance to the centralization of poor relief and public health measures.[8]

However, structures approximating Weber's definition of bureaucracy have existed from time to time in different parts of the world. The historical bureaucratic empires, such as ancient Egypt, the Roman Empire, and ancient and medieval China, exemplify this point. China, for example, witnessed a close approximation to bureaucracy in the sense that appointment to office depended upon qualifications tested by exami-

nation, and authority relations were ordered systematically On the other hand, Chinese officials qualified through humanistic learning rather than technical proficiency ; in the absence of a legal order based on abstract, written norms, administrative performance was based ideally on considerations of equity ; and administrative work was not a full time occupation, strictly separated from the official's personal and familial concerns to maintain at least in three respects in which administration under the Chinese dynasties was nonbureaucratic or protobureaucratic [9] In partial contrast with this approximations, Weber recognized a distinctive modern type of bureaucracy.

Actually, the traditional thinkers including Weber propounded their theories in such a period when the public service was symbolized with nepotism, patronage and illegitimate political gains. That was virtually a period of anarchy in the realm of public services. In an inefficient and ineffective public service system, according to Hughes[10], citizens did not know where they stood when government administration was, in effect, a private business in which government decisions, money and votes were negotiable commodities. Eventually, these inherent problems of earlier forms led to the acceptance of traditional model in order to establish a professional non-partisan administration.

Nonetheless, the formalization of this model was mainly done by Weber. In the historical context that was very timely and appropriate to get rid of the dysfunctional system of earlier form of administration It is, moreover, axiomatic that this model served during the critical juncture points of administrative history in the U.S A., U. K., Germany and subsequently elsewhere in the globe. Considering this context of its emergence, Hughes[11] rightly appreciated this model as a 'salutary' one

However, with the pace of time, many dysfunctional weaknesses have been revealed within the model which subsequently led to its gradual decline.

Causes of Decline

No doubt, the traditional bureaucratic model, since its emergence, contributed a lot in the field of administrative history, but many inadequacies had been exposed during its continuous operation for about a century. Recently, in everyday conversation, to call something 'bureaucratic' is to damn it In this respect, bureaucracy implies red-tape, long lines, elaborate forms, unpleasant officials and the cold sweat that

comes with the feeling that nobody is properly understood by the bureaucratic machineries According to Katz and Danet[12], the popular image, in short, sees bureaucracy as inefficient, inhuman and inaccessible.

In actual order, Weber tried to formulate a ideal or pure type of bureaucracy where the functions of bureaucracy is nothing more than a machine. Thus the contemporary writers argue that bureaucracy is not appropriate for non-routine activities which involve a high level of creativity and innovation During the 1960s there was a trend, however, to criticize the Weberian model in terms of replacing it by another type of bureaucracy. According to Litwak[13], where organizations deal with non-uniform events, a model of bureaucracy may be more efficient which differs from Weber's in at least six characteristics . horizontal patterns of authority, minimal specialization, mixture of decision on policy and on administration, little a-priori limitation of duty and privileges to a given office, personal rather than impersonal relations of general rules.

Bureaucracies have a number of serious consequences which are responsible to make its decline almost inevitable. The list of these dysfunctions appears to be endless. These have been characterized by Thompson[14] as 'bureaupathology', a disease of bureaucracy. Thompson further suggested that these dysfunctions are produced by 'bureaupathic' behaviour Different critics from different viewpoints tried to point out these dysfunctional elements.[15] Among these, rigidity, impersonality, displace-ment of objectives, limitation of categorization, tenure of position, self perpetuation and empire building, levelling effects, cost of control and anxiety are most important which may be elaborated as follows :

(i) Rigidity

It is said that bureaucracy is rigid, static and inflexible and is designed for a steady state, closed system in isolation. It is, in this respect, nonadaptive and thus in conflict with the basic adaptibility laws of nature Strict adherence to regulations produces timidity, conservatism and technicism. A person can legally avoid responsibility for accomplishing organizational objectives by odd bureaucratic sabotage techniques as operating within the strict letter of rules. Often, whatever his motives, a bureaucrat can avoid responsibility by hiding behind some regulations. No rational or humanitarian ground is able to change the

iron rules of bureaucracy. Moreover, when faced with new forces, such as innovations, it tends to view them as disturbances to an otherwise ordered situation The ultimate goal of a bureaucrat sometimes seems to be perfect, unchanging order If such an organization exists, according to Hicks and Gullet,[16] it would, of course, quickly become obsolete

(ii) Impersonality

Because of its emphasis on order, predictability and rationality, bureaucracy has been called a sterile machine model of organizations. The implication is that bureaucracy ignores persons— the basic element in an organization. It even has been called organization without persons. Persons tend to be seen as inert, given factors of production, and not as developing complex, emotional, unique humans. Man is a means rather than an end of production Bureaucracy, in this respect, means that 'human relations lose their directness and become mediated relations in which third parties, ... seated more or less securely in power authoritatively prescribe the behaviour of man'.[17] Relationships in a bureaucracy are secondary, contractual ones rather than being primary and personal. Because there can be lack of personal involvement productivity which may be at the minimum acceptable level. A bureaucracy clearly subordinates the individuals to the organization. The individual is expected to perform roles in his mediated relationships with offices of the bureaucracy. A penetrating criticism is that the alleged machine model quality of bureaucracy tends to be a self-fulfilling prophecy ; that is, bureaucracy may even produce changes in personality to conform with the demand for reliability, accountability, predictability, standard operating procedures, and the like. Thus, loss of enthusiasm and deterioration of human relations usually take place in these organizations.

(iii) Displacement of Objectives

The bureaucrat has unfortunate tendency to forget his ultimate rational organizational reason for existence—to contribute to the overall objectives of the organization. In pursuing his individual objectives or the objectives of his sub-unit of the organization, he often fails to adequately contribute to broader objectives. Thus he displaces the broader objectives in favour of personal or lower level objectives, which may be called as the bifurcation of interests. A rational and complex organization has a hierarchy of objectives organized as means-ends chains. The objectives of

each lower level are the means by which successfully higher level objectives are accomplished A problem is that the integrated means-ends relationships may break down and the lower level objectives may come to be viewed as ultmate ends in themselves For example, rules and regulations have such tendency. According to March and Simon[18], rules originally devised to achieve organizational goals assume a positive value that is independent of organizational goals. Accordingly, the organizational instrument of value becomes a terminal value. Means tend to become sanctified values within their own rights.

The organizationally rational purpose of a sub-system e.g., rules, routines and procedures are to contribute to higher level objectives. Units or persons at lower levels fail in their organizational purposes if they work for personal objectives or objectives of their sub-units without adequate relationship to overall objectives. Often it is difficult for persons to get redress for injuries suffered due to the displacement of objectives.

(w) Limitation of Categorization

For the advantages of coordination and specialization, bureaucracy needs strict adherence to categorization or compartmentalization of activities and persons. A person works only within his department. It might be better, however, if some of the work of his department were combined with that of another. For example, if we consider two departments as located next to each other, each requiring the service of one and one-half typists. Bureaucracy makes it extraordinarily difficult to provide the needed services with less than four typists—two assigned to each department. Therefore, there is a waste of one equivalent typist, but the bureaucratic principle that one department, with one boss, and one budget makes it a likely event. Solutions to reduce this waste is very difficult, while remaining within the purely bureaucratic system.

(v) Tenure of Position

A more subtle dysfunction of categorization results from the tendency of bureaucracy to grant career status or tenure to a position. There is a powerful tendency to maintain that position even if, in an adapting world, it becomes obsolete. It may even be that high skill in an old specialization is not advantageous for performing a new one. The typical bureaucracy tries to preserve all the old, often obsolete jobs and add new ones for new requirements only. Bureaucracy is not at all comfortable

with the fact that an adaptive world can never depend upon the old order with the obsolete mechanism any more

(vi) Self-Perpetuation and Empire Building

According to Weber, once it is fully established, bureaucracy is among those social structures which are hardest to destroy, even when it has outlived its usefulness.[19] The individual bureaucrat often feels trapped in the unyielding mechanism of the organization , significant changes, if they are made at all, often must come from the very top. The same power that a bureaucrat requires to do his work in a professional environment can be used by him to perpetuate his job or department beyond its useful life. It often appears that a bureaucrat thinks that holding an office gives him personal ownership of it and its privileges. Sometimes, however, he may assume the depart-mental budget as his own budget.

Moreover, prestige and pay are often determined by the number of one's own subordinates. Thus the bureaucrat has, it appears, an almost insatiable desire to use his power to increase it by numerous attempts to add persons or other resources to his organization. This is the familiar empire building, the end result of which is the waste.

Furthermore, the bureaucrats can use their expertise to maintain or increase their power. First, they can keep their knowledge and intentions secret, thereby often confounding potential critics. Secondly, their intimate understanding of the operations of a complex organization makes it very difficult to replace them.

(vii) Levelling Effect

Through their desire to perpetuate the old, bureaucracies discourage innovation A bureaucrat has a vested interest and comparative advantage in an old technology. He thus might oppose a new technology in his organization in which others may be more expert than he Thus bureaucracy has a levelling, essentially conservative effect.

(viii) Cost of Controls

In most of the cases, the abundance of rules, regulations and procedures employed to gain conformity in a bureaucracy typically do not create value per se. Thus the cost of maintaining them is dysfunctional Some career specialists spend their full time formulating, implementing,

interpreting, and enforcing bureaucratic procedures. Sometimes these are excessive. The abusive term 'red tape' popularly describes the frustration from perceived excessive restrictions and delays imposed by bureaucratic procedures.

(ix) Anxiety

Too much pressure to conform and to improve the status in a bureaucracy often produces anxiety. The manager is continually confronted with a source of anxiety in the conflicting objectives among members and between members and the organization. Anxiety also is created when managers perform poorly. Dependance, insecurity, or frustration— all are prevalent in bureaucracy—often produce anxiety. Sometimes these are severe enough to disrupt the entire organization.

(x) Lack of Unversality

The bureaucratic model innovated by Weber has come to be inextricably associated by some with the highly industrialized and pluralistic society. Hence, according to La Palombara,[20] in different levels of political development different structures are required.

Moreover, in terms of cultural differentiation and changing sequence, a single bureaucratic model cannot run without challenge. Weber, however, was very candid in realizing it. In his own vision, bureaucracy must be understood within the context of specific cultural, normative and historical constraints.[21]

The Public Choice Critiques

The public choice critiques are generally offered by some of the market economists. They came into being since the mid 1970s. The key concepts of these critiques are to reduce the size of government and to suggest an equivalent structure of incentives and reward system in the public sector which is now available by the market economy. According to them, the market economy is superior to the traditional bureaucratic model in many regards, such as, competitiveness, accountability system, timeliness, simplicity and openness. According to Hughes,[22] the public choice theory is, in essence, the application of micro-economic principles to political and social areas, in this case the theory and practice of bureaucracy. Following standard principles of rational behaviour, the assumption can be made that bureaucrats will attempt to maximise their

own utility rather than the goals of their organizations. They aim to increase their own power, prestige and security, and also income. These are all elements linked with the hierarchical structure Because personal advancement occurs only through the structure, individual ambition can lead to outcomes not necessarily in the best interest of the organization.

Conclusion

The traditional bureaucratic model emerged as the best substitute of its earlier form of public administration. For many years, since its inception, this model has been serving in various government systems throughout the world along with its merits and demerits.

Nevertheless, this model served its level best with its highest possible effectiveness until the third quarter of this century. But, gradually, with the pace of time, it started loosing its acceptance as a universal administrative model. Moreover, with all its dysfunctional characteristics exposed, it became a central issue for criticisms, which, in turn, led it towards the subsequent decline. Demand for its possible replacement was also vocal However, in real order, no better substitute was readily available. But now, the latest development of theoretical and applied managements suggest that a more flexible, goal oriented and responsible management has better capability and popular acceptance than the traditional model of administration.

Although it is suggested by some of the authors[23] that within the same structure, bureaucratic dysfunctions may be modified to reorient it as a dynamic one. It is, however, almost impossible because of the endemic nature of its dysfunctions

Finally, it can easily be concluded that the traditional bureaucratic model of administration, with its inherent limitations, is by itself responsible for its decline.

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J Asiat. Soc. Bangladesh, Hum. Vol. 39, No 2, December 1994

THE DHARMA CULT AND MUSLIM POLITICAL POWER IN THE LIGHT OF SOME MEDIEVAL BENGALI POEMS

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Towards the end of the nineteenth century the Dharma Cult was considered to be an offshoot of Buddhism[1], a theory hardly finding any support among the scholars of recent times. It has been contended that the cult is a very primitive one, possibly of austric origin, which has accommodated within itself a variety of Aryan and non-Aryan elements including much of the abstractions of Varuna, the vedic sun god, the Iranian sun god, the puranic incarnation Kalki, the tortoise incarnation and many other Hindu mythological ingredients [2] It owed to the Mantrayana or the Vajrayana order of Buddhism most of its Buddhist accretions including the term *Dharma*, one of the *tri-ratna* or Three Jewels of Buddhism, after which the deity has been named.[3] While the cult seems to be of a composite character, the idea of superiority of Dharma to the Hindu triad-Brahma, Visnu and Shiva—dominates Dharmite cosmology On an examination of the rituals of Dharma worship in the Birbhum district of West Bengal, a modern scholar has traced back the origin of the cult to the rites and magical beliefs of some primitive tribes, connected with the rearing of crops and procreation which have become mingled up, in the course of time, with Hindu-Buddhist ideas and practices.[4] The relationship of the cult with Muslim political power of Bengal and with Islamic ideas and customs is a subject of interest, particularly when the composite nature of Dharmite mythology has been recognized by the scholars.

It is possible to detect two distinct phases in the development of the attitude of the Dharmites towards the Muslim rulers of Bengal and Muslim ideas and practices. The first phase seems to have been represented by certain sections of such liturgical compositions as the *Shunya-purana* and the *Dharma-puja-vidhana*, extolling the coming of the Muslims, which would destroy, as the Dharmites believed, Brahminical hegemony in Bengal, and preparing a kind of synthesis of Muslim legends and customs with those of Hinduism and the Dharmite faith.[5] The second phase can perhaps be noticed in the scene of Dharmite - Muslim relationship, as depicted in the *Anadyer Puthi*,[6] an anonymous

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poem attributed to Ramai Pandit, the legendary priest and the first exponent of the Dharma cult. Presumably composed in the eighteenth century this work does not show any enthusiasm for Muslim rule or Muslim legends and customs as we find in the other writings noticed above. It betrays hostility to the Muslim rule whose centre was located at Gaur for several centuries. Aversion to the alien rule seems to have been foreshadowed in the seventeenth century poem *Dharma-purana* of Yadunath[7] which has highlighted the shakti associations of the Dharma cult without, of course, disclosing the motives that underlie this poetic venture. Thus the two sets of poems taken together, indicate significant changes in the attitude of the Dharmites and their supporters to Muslim rule, which may find an explanation in the changing socio-political conditions obtaining in Bengal.

The Dharma cult went through a long process of change and transformation. The Saddharmis forming a distinct group of people, could perhaps be found in seventeenth and eighteenth century Bengal; but Dharma Thakur was being worshipped by people belonging to other religious persuasions as well. While Brahminical contributions to Dharmite literature are by no means negligible[8], the list of poets narrating the achievements of the god includes names representing Kayastha, Kaivarta and Sundi castes.[9] These Hindu poets and also the Dharmite priests, who have the natural tendency for mixing up classical and indigenous elements in the rites connected with Dharma worship, seem to have given a Hindu puranic shape to Dharma or Yama[10] variously identifying him with Varuna, Visnu, Shiva so that the deity might find a regular niche for himself in the broader structure of the Hindu pantheon. Such an attitude is exemplified by the views expressed by Yadunath, who has described in the *Dharma-purana* the ten incarnations of Dharma such as Mina, Kurma, Varaha, Nrisimha, Vamana, Rama, Haladhara, Krisna, Narayana and the Buddha[11]—the list being similar to those of the *avataras* of Visnu found in the *Dashavatara-stotra* of the *Gita-govinda* of Joyadeva[12] and also in later vaisnava literature including the *Chaitanya-charitamrita* of Murari Gupta[13] and the *Chaitanya-bhagavat* of Brindavana Dasa.[14] In fact, the identification of Dharma with some form of Visnu seems almost complete in some Dharma-mangala poems and Dharmite liturgical texts. While tacitly recognizing Dharma as a modified Shiva the writers of the late Muslim period appear to have faced the problem of indicating his relationship with Adyashakti represented as the wife of Shiva in the *Shunya-purana*.[15] In the seventeenth and eighteenth century

Bengali poems this goddess has been depicted as the consort of Dharma[16], which indicates addition of shakti elements to the Dharma cult. Shiva, who was represented as a drunk and voluptuous god in some mangala poems, is thus restored to his puranic glory In the guise of the Dharma Thakura he goes on to function as the god of procreation and agriculture [17] Although Shunya was an object of worship with the Dharmites, it now becomes a condemned region far away from Vaikuntha (heaven).[18] As a result of these modifications, the Hindu mind, in general, must have become familiar with Dharma, unconsciously retaining his associations with the primitive elements and Indo-Iranian legends. Without being limited only within the communities of the Hadis, Doms, Bagdis, Kaivartas and other lower class people, the cult thus became associated with the greater Hindu society of south-western Bengal. It is reasonable to believe that the reactions against Muslim rule which we notice in some Dharmite poems produced in the seventeenth and eighteenth centuries, are but identical with the expression of grievances by some sections of the Hindu community against the alien rule and the alien culture represented by the Muslim rulers.

While noticing the changes in the Dharma cult, as enumerated above, we may note here that the worshippers of this deity belong predominantly to the south-western part of Bengal where there was a Brahminical revival in the post-Chaitanya period The same factor together with some other material conditions affecting the medieval Bengali society, was perhaps responsible for the change in the attitude of the followers of the Dharma cult towards Muslim political power in Bengal, as illustrated in the *Anadyer Puthi*.[19]

It has been stated that Shridhara, who had gone to Gaur to introduce Dharma worship, was killed with other Dharmite devotees by the Muslim ruler. His father Ramai requested Dharma to bless him with another son who would establish him as a deity in the Muslim capital. Then he was instructed by Dharma as to how to humble the Yavana ruler. He was asked to sound a conch shell on his way to Gaur and to celebrate in the name of Dharma, a *yajna* ceremony attended by an abundance of wine and sacrifice of goats with their blood swelling into an ocean. If the Yavana ruler showed any signs of resistance, Ramai must meditate on Dharma who had already descended on his white seat responding to the sound of the conch shell blown by him. When the pomp and pageantry of Gaur struck terror into the minds of the Dharmite

priest and his associates, Dharma thought that the failure of his devotees to reach the Muslim capital would have serious consequences , for nobody in India would worship him. So good prospects were held out to Ramai and his followers who were told how the Yavana ruler, a Shudra in the previous birth, won the throne of Gaur after he had worshipped Dharma for a period of twelve years on the bank of the river Balluka. Although hard penances had brought him the royal status, he would now be chastised for having murdered the Dharmites who had tried to introduce Dharma worship in the Muslim capital. Dharma Thakur would now inflict on him such miseries as could result from blindness and attack of leprosy and his own officers would turn away from him. Now that the age of Kali was prevailing, there were no caste distinctions and the Hindus, Muslims, Brahmins, Yavanas and Shudras were enjoying equal status in the society When Dharma completed his instructions and sermons, Ramai worshipped him ceremonially perior to his expedition to Gaur.[20]

Paradoxicallly enough, Dharma, who had, on another occasion, descended on the earth in the shape of Muslim soldiers to save the Saddharmis from the clutches of the Brahmins and who was made to settle Hindu-Muslim disputes[21], was now applying himself to the task of punishing the Yavana ruler ; Gaur, the Muslim capital being his main target. The Dharma Thakur had a counterpart in Northern Bengal in the mythical personality of Sona Ray, the god of tigers, who had also directed a punitive expedition against the Mughals stationed at Ghoraghat. These Muslim officers had offended him without realizing that his army of tigers could cause damage to their life and property.[22] Stripped of the legendary elements, these stories indicate hostility of some section of the non-muslim population to Muslim rule in Bengal

The early phase of Muslim rule seems to have raised expectations among the Saddharmis, then identified with such lower class people as the Doms and others among whom the worship of Dharma is popular even in the present days.[23] As these people were persecuted by the Brahmins[24], their leaders had reasons to welcome the Muslim conquerors and revere their legendary figures and some of their social and religious institutions subsequently accommodated in the Dharmite social life. This socio-cultural milieu, as reflected in the *Niranyaner Rusma* of the *Shunya-purana* and the *Kalima Jalal* of the *Dharma Puja-vidhana*, probably corresponded to the Sultani administration, which was responsible for

establishing the regional identity of Bengal evidenced by the spirit of cultural synthesis in such spheres of creative activities as the arts, architecture, literature, religious movements and administration of the country[25] in which different sections of people had participated When Bengal was absorbed into the Mughal empire as one of its provinces, her regional identity suffered considerably and Bengali culture became a component in an all-India complex, very often mixed up with the elements coming from Northern India and Persia. Such a situation must have presented a significant contrast to the previous regime which had patronized local aspirations as attested by the cultural pattern of the time. Moreover, the period of transition, which followed the disintegration of the Sultani rule, was characterized by continuous warfare between the Mughal governors and the local landlords, which, coupled with the depredations carried out by the Maghs and the Firingis and the repeated Maratha invasions, must have created among the people a sense of insecurity and lack of trust in the administrators

The expeditions against Muslim ruling power narrated in the songs of Sona Ray and the Dharmite poem *Anadyer Puthi*, possibly symbolize protests against the existing political and social conditions. In voicing their feelings the poets and singers of the time have naturally selected some popular deities whose activities have been so designed as to demonstrate hostility to the ruling power It is possible to trace the beginning of this process in the *Dharma-purana* in which the poet has tried to reinforce shakti elements in the Dharma cult by establishing conjugal relationship between Dharma and Adyashakti[26] so that the militancy thus embodied in the former may adequately confront the military strength of the Muslim rulers The salutations offered by the poet to the places of Shakti worship in South-West Bengal and mention of such offerings as blood and animal heads, made at the altar of Adyashakti at the time of her ceremonial worhip,[27] gain significance in this context. The old tradition of accommodating Muslim elements has also been continued in the generous tribute paid to the shrines of some Muslim saints as well as in the identity of Dharma personified as the Sultan of Delhi [28] The potential *ksatra shakti* that we notice in the *Dharma-purana*, has been fully activised in the *Anadyer Puthi*, which purports to portray a military expedition against the Yavana ruler of Gaur, conducted by Rama Pandit under the direct supervision of Dharma who gives him instructions from time to time as to how to make the venture a success In fact, stone images dating from the eighteenth

century and also some Dharmite poems depict Dharma as a uniformed soldier sometimes equipped with traditional weapons.[29] In all this one can possibly notice a rejuvinated Hinduism directed against an established political order.

It is not difficult to detect Brahminical influence in some of the suppositions contained in the *Anadyer Puthi*. It has been complained that lack of caste distinctions in the society (probably owing to Muslim influence) had created a situation of moral depravity and social disorder which provoked Dharma Thakur into attacking Gaur [30] The original Saddharmis, who included in their group lower class people and who were reviling the Brahmins depicted as oppressors in the *Shunya-purana* and the *Dharma-puja-vidhana*, could hardly be expected to deplore caste laxity. As already noticed, Brahmins and people belonging to other castes composed poems on the Dharma cult which was being accepted in its Hinduised form by a larger section of the Hindu community Thus the followers of the cult did not constitute a homogeneous group in seventeenth and eighteenth century Bengal The reactions against Muslim rule which we notice in certain sections of Dharmite literature, did not parhaps originate in the small, obscure group of the Saddharmis; it must have come from a larger Hindu society that had palpable reasons to be dissatisfied with the alien rule. The post-Chaitanya phase of Vaisnavism was characterized by a spirit of hostility and opposition to Islam[31], which had grown probably under the Brahminical influence emanating from the theological writings of the Gosvamis of Brindaban. As most of the writers of Dharma literature were directly influenced by Vaisnavism[32], they might have borrowed their anti-Muslim feelings from the Vaisnavas as well.[33]

Notes and References

1 H P Sastri, 'Discovery of the Remnants of Buddhism in Bengal', *Proceedings of the Asiatic Society of Bengal*, 1894, 135 , 'Buddhism in Bengal since the Muslim Conquest', *Journal of the Asiatic Society of Bengal (JASB)* Lxiv (1895), pt I, No I, 56-61 and 'Sridharmamangalas A Distant Echo of Lalita-vistara', *ibid.*, 65-68

2 K P Banerjee, 'Dharma Worship', J *A S B*, VII (1942), 131-32, S K Chatterjee', 'Buddhist Survivals in Bengal', *B C Law Volume*, 77-78, Sukumar Sen, 'Is the Cult of Dharma a Living Relic of Buddhism in Bengal ?' *ibid.*, 670-72, Introduction to the *Dharmamangala* of Ruparama, ed Sukumar Sen and others, Pt I, 2nd ed , (Calcutta, 1957), 3-18

3 S B Dasgupta, *Obscure Religious Cults*, (Calcutta 1962), 259, 261, 301

4 Amanlendu Mitra, *Radher Samskriti* (Calcutta 1972), 59 and 63 ff, for almost a similar view compare Bhaktimadhav Chattopadhyay (ed), *Shunya-purana* (Calcutta, 1977), 34, The magical practices arid ideas of the primitive non-Aryan people of Radh, who used to worship rocks, trees and snakes, the symbols of the earth, the forest and the power of fertility respectively, are said to have been assimilated, during a long period of time, with Aryan elements leading to the growth of the Dharma cult One can thus detect in this cult abstractions of several Hindu deities such as the Sun god, Varuna, Yama, Shiva and Narayana, the Buddhist ideas of *Shunyata* (vacuity) and *Karuna* (universal passion) and the snake goddess Manasa of folk religion

5 In a section of the *Shunya-purana*, called *Niranjaner Rusma* (the wrath of the Stainless Lord) it has been said that the Brahmins were oppressing the Saddharmis of Jajpur where Dharma descended in the guise of the Yavana with a view to protecting his followers from Brahminical persecution After graphically describing Dharma's attack on Jajpur, which culminated in the destruction of the Brahmins, the poet mentions the religious and legendary personalities of Islam Thus Muhammad, Adam, Eve and Fatimah have been identified with Bhahma, Shiva, Chandi and Padmavati respectively and Islamic terminology has been used with felicity , *Shunya-purana*, ed Charu Chandra Banerji (Calcutta 1336 B S), 233-36, cf also the same work ed Bhaktimadhav Chattopadhyay, 159-60 Almost a similar picture is found in the *Kalima Jalal* of the *Dharma-puja-vihana*, a Dharmite religious text, also attributed to Ramai Pandit Revealing himself as the Khuda of the Muslims and accompanied by a number of Hindu gods and goddesses, each dressed in the uniform of a Muslim soldier, Dharma attacked the Hindus of Jajpur and destroyed their temples to the utter relief of the Dharmites Dressed as a Muslim judge, the Dharma Thakur not only settled Hindu-Muslim disputes, but adopted Muslim customs taking whatever food is taken by a Muslim In this connection the poet praises the religion of the Muslims and their customs and condemns Hinduism , *Dharma-puja-vidhana*, ed N G Banerji, (Calcutta 1323 B S), 219-24 and also *Shunya-purana*, ed Bhaktimadhav Chattopadhyay, 247-51, where the same verses have been reproduced as portions of a text called *Dharma-purana*. The two famous poems on the Dharma cult cited above, may not be very old, but they seem to preserve the socio-religious gamut of an earlier period Without adducing adequate reasons Bhaktimadhav Chattopahyay holds that the *Niranjaner Rusma* and the *Kalima Jalal* were interpolated by a Muslim poet towards the end of the seventeenth century, *ibid.*, 64-6

6 Edited by Panchaman Mandal ,in *Sahitya-prakasika*, pt III (Shantiniketan 1951), 107-33

7 Edited by P Mandal, *ibid.*, 1-114

8 Thus, Mayura Bhatta, Ruparam Chakravarti, Manik Ganguli, Ghanarama Chakravarti, Prabhurama Mukhopadhyay and Sahadeva Chakravarti, who composed poems on the Dharma cult, were all Brahmins

9 Sukumar Sen, *Bangala Sahityer Itihas*, Vol I, second ed (Calcutta 1948), 511,

10 Introduction to Ruparama's *Dharmamangala*, 2-3, S B Dasgupta, 279-72, 278-82 and 293 ff, A Mitra, 66-71, 80-81, 93, Bhaktimadhab Chattopadhyay, 45-61; Gopendra Krisna Basu, *Banglar Laukik Devata* (Calcutta 1978), 203-204, Hamsanarayan Bhattacharya, *Hinduder Devadevi*, III (Calcutta 1980), 426-34

11 *Op cit*, 6-7

12 *Gita-govinda*, Eng tran by William Jones, *Collected and Movement Works* (London), Canto I, 5-14

13 Extracts in S K. De, *Early History of Vaisnava Faith And Movement In Bengal* (Calcutta 1942), 174

14 *Chaitanya-bhagavat*, 4th ed by M K Ghosh (Calcutta, 440 G E) adi, II, 15

15 Cited by S B Dasgupta, 313

16 Cf for example *Dharma-purana*, Introductions, 6 and 23

17 Sukumar Sen *Bangla Sahityer Itihas*, I, 501, Bhaktimadhav Chattopadhyay, 50-51

18 *Dharma-purana*, 102-103

19 The rest of the paragraph is a summary of this poem directly bearing on Dharmite-Muslim relationship, *op cit.*, 107-133

20 As the manuscript on the basis of which the present edition of the *Anadyer Puthi* has been prepared, is completely mutilated, we are left in the dark about the rest of the story which must have purported to attack the Muslim ruler and introduce Dharma worship in Gaur

21 Cf the relevant sections of the *Shunya-purana* and the *Dharma-puja-vidhana* cited above in f n 5

22 Ajay Ray, 'Sona Rayer Gan O Samshlista Prarchchhanna Dharmamat', *Itihas* (Dacca), 1282 B S , pts 1-3, 8-9 and 59-63 The cult of Sona Ray has probably grown out of the abstractions of the Dharma Thakur and Daksina Ray, the tiger god of Southern Bengal Sona Ray combines in himself the functions of the god of agriculture and procreation generally appropriated by Dharma His control over tigers is possibly a myth reared up in the imagination of the people of Northern Bengal who used to live in constant fear of these ferocious animals and, sustained by the influence of the famous tiger-god Dhksina Ray Like a certain form of Dharma he has an air of aggressiveness as attested by the images of the god and his attendants bearing such traditional weapons as bows, arrows, swords, shields and javelins, *ibid* , 12, 14, 50 and 63

23 Sukumar Sen, 'Introduction to Ruparamer Dharmamangala', 18, Ashutosh Bhattacharya, *Bangala Mangal Kavyer Itihas*, 3rd ed (Calcutta 1958), 504 and 511-12 , A Mitra, *op cit.*, 167, Bhaktimadhav Chattopadhyay, 40-41

24 *Ibid* , 159 and 247-48, *Sunya-purana* (ed C C Banerji), 232-33, *Dharma-puja-vidhana*, 219-24, cf also S B Dasgupta, 265-66

25 M R Tarafar, *Husain Shahi Bengal A Socio-Political Study*, (Dacca 1965), 239-40, H R Sanyal, "Bangalir Dharmiya Sthapatya-Charcha' *Itihas* (Dacca 1379 S B), VI, 2, 69-73

26 *Yadunather Dharma-purana*, Introduction, 6 and 10 (text)

27 *Ibid.*, 44 and 99

28 *Ibid* , 7 and 9

29 Sukumar Sen, Indroduction to Ruparama's Dharmamangala, 11, S B Dasgupta, 263

30 *Anadyer Puthi*, 115

31 M R Tarafdar, 231-32

32 S B Dasgupta, 293

33 For discussions on the problem of Islamic influence on the Dharma Cult see M Shahidullah, *Introduction to the Shynya-Purana* (ed Banerji), 12-13 and 36-38, S B Dasgupta, 259 and 266-67, M R. Tarafdar, 232-33

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CASTE AND SOCIAL MOBILITY IN PRE-COLONIAL SRI LANKA

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In many published studies on caste and social structure in early South Asian societies, these societies have been described as if they had remained in a more or less static and frozen condition throughout the precolonial period, permitting only marginal social change, and providing no room for social mobility. It has even been theorized that the caste system in general was a system of social stratification unusually rigid, birth ascribed and permitting no room for mobility.[1] However, the validity of these ideas with regard to the Indian caste structure has been challenged in recent years and as a result attempts have been made to take a fresh look at both the theoretical and practical aspects of caste to understand the nature of the Indian social structure.[2]

Though there have been numerous studies on the multi-faceted aspects of the Indian caste structure, only a handful of studies exist with regard to Sri Lanka Besides, the scope of all the major monographs on caste in Sri Lanka is limited to its history and function in the more recent past and so no single work dealing exclusively with caste in pre-colonial times can be cited However, the subject of caste has been discussed in a few pulications on the social history of the ancient and medieval Sri Lanka, but these works do not analyze in depth the main trends and special characteristics of the Sri Lankan caste structure as this subject formed only a part of these studies.

Almost all these studies of the social condition or caste in Sri Lanka have accepted without question the belief that the caste system in the island can be traced back to the time of the early Indian immigrants who arrived in the island in the sixth or the fifth century B C.[3] This belief, in turn, gave rise to the notion that the Sri Lankan society, from its very inception, was developing strictly on the basis of concepts of the *Varna* ideology as enumerated in the Brahmanic scriptures. By an extension, this notion also strengthened the assumption that the Brahmanic concept of the four *Varnas* was introduced in its absolute form and that it continued to be the basis of the social structure until recent times.[4]

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Casual observations and cursory remarks have been made in these studies without any serious attempt to understand the evolution of caste in Sri Lanka or taking into consideration the major historical developments that influenced this evolutionary process. Consequently, these writers have identified Buddhism as the only factor contributing to the uniqueness of the Sri Lankan caste system and its mild character [5] It is also noteworthy that they were convinced that the Brahmanic *Varna* stereotype as depicting the true picture of Indian caste resulted in many misconceptions and wrong assumptions creeping into their works on the functioning of the caste system in India as well as in Sri Lanka. The most glaring of these is the Sri Lankan society, like Indian society, remained almost static throughout pre-modern times and that the caste system too, remained practically unchanged during this period. Even today, scholars generally do not challenge their validity.[6]

If one accepts the *Varna* concepts of the Brahmanic scriptures as depicting the true situation, it follows that such a system functions on conditions such as the strict adherence to status of birth for membership of each caste, a hierarchical ordering of social units and the following of rules of endogamy and ritual purity. Thus, it is a rigid social system permitting no room for mobility. As Romila Thapar has shown, theoretically there were only two ways of improving status, i. e., upward mobility. One was by opting out of society and becoming an ascetic, the other was by ensuring rebirth in a higher social status, in one's next life.[7] Thus, in theory, individual mobility within this strict hierarchical order is not possible. If this is accepted as the norm, one is faced with a number of fundamental questions not only with regard to caste but also with regard to the entire social structure of pre-colonial Sri Lanka. Of these, the first in importance is whether Sri Lankan society actually grew strictly along the *Varna* ideology and whether all manifestations of that ideology were present in the island ? Was there social mobility at any time in its history ?

With these questions in mind, an attempt will be made in this paper to investigate whether social mobility was possible within the Sri Lankan social structure in which caste played a prominent role, especially in the pre-colonial period.

We have also to consider whether there were factors that restricted space for mobility and if mobility was possible, in which directions it was feasible ? In this endeavour, all available sources will have to be surveyed

to collect the necessary data, but it may be observed that though Sri Lanka has rich and longstanding historical traditions of its own, it does not possess a literature of the kind of the *Dharmasatras* or the law-books of India in which concepts, rules and ideas governing various aspects of caste are enumeated in detail. This obviously makes the task of the social historian of Sri Lanka difficult, as there is no means of understanding even the theoretical position in respect of caste in the island. However, the rich Sri Lankan literature both in Pali and Sinhala, taken together with the large collection of lithic and other inscriptions which form a formidable body of sources for the study of many aspects of the island's history, including that of caste partially makes up for this difficulty.

The *Varna* ideology represents essentially the theoretical position and not necessarily the practical aspect of functional situation of caste, and therefore, its applicability even with regard to Indian conditions has come under serious challenge.[8] Under the circumstances, its validity in relation to Sri Lanka which had a very different socio-political and cultural melieu may be questioned on various grounds In fact, as the present writer has shown elsewhere, there is no evidence for believing that Sri Lankan society in its formative period grew strictly along the divisions enumerated in the *Varna* ideology, though a *brāhmana* community and a few *ksatriya* families had been living in the island from as early as the third century B C.[9]

Nevertheless, this does not necessarily mean that caste concepts and ideology were totally unknown in early Sri Lanka for the very fact that there were *brāhmanas* and *ksatriyas* is clear evidence of that. Yet, what is significant is the lack of any reference to the *vaiśyas* and the *śūdras*, who formed the third and the fourth rungs of the hierarchy. Even the Sri Lankan royalty did not have a *ksatriya* origin though some kings of later times claimed *ksatriya* status ; there too, only the king and his immediate family were known as *ksatriya*, but they never developed into a *ksatriya* clan.[10]

Besides the *candālas* whose occupation was mainly scavenging and who were treated as outcastes according to the Indian classification, one major group mentioned in the early Sri Lankan sources are the *gahapatis*.[11] The *gahapatis* are mentioned in the early pali literature of India as a section of the *Vaiśya* community[12], but as is evident from the Sri lankan sources the occupations of these groups ranged from different types of crafts and services to trading and agriculture.[13] If one goes by

these occupations, it would be clear that these include not only the occupations that are prescribed for the *vaiśyas*, but also those meant exclusively for the *sūdras* under the Indian classification. In other words, occupationwise the Sri Lankan *gahapati* group was much more broad-based, and this explains why there was no separate *vaiśya* or *śūdra* groups in early Sri lanka

One of the unique characteristics of the early Sri Lankan social formation is the position enjoyed by three social groups, namely the *ayas*, the *parumakas* and the *gamikas*, who probably shared the position of leadership in the central as well as the regional administration.[14] They owned land, irrigation works, many things conferring prestige like horses and even took the initiative in opening up new settlements. What is also significant is that some sections of these groups did not derive their political strength from the king Instead, they had their own local power base, the origin of which may be traced to a period before the development of kingship in the island.[15] Thus, their social standing, especially that of the *parumakas* and the *ayas* was next only to that of royalty.[16] Although in the Indian context, at least in theory, the *brāhmanas* enjoyed the highest position in the social hierarchy, their position in the early Sri Lankan social gradation was certainly below that of royalty, the *ayas* and even that of the *parumakas* [17] Thus it appears that royalty and the *aya-parumaka* groups having close links with royalty, constituted the upper rungs of society, but the *brāhmanas* stood not far below this. Thus they formed the elite of the early society, and within this elite group there were inter-marriages.

A study of the matrimonial relationships of these groups clearly shows that inter-marriages had actually taken place among these groups including royalty and this must certainly have paved the way for upward mobility for certain sections of the group [18] However, marriage between these sections and the *gahapatis* though not totally absent was rare.[19] Though it appears that the position of *parumaka* was hereditary, i. e the father of a *parumaka* was always a *parumaka*, an exception is found in one inscription when it describes the father of a *parumuka* as a *gahapati*.[20] This may be interpreted as an instance where a person of a lower rank was elevated to the *parumaka* position perhaps by the political leadership to honour the person concerned

However, what is even more interesting is the pattern of the social structure that emerges from the above It is quite evident that, on the one

hand, there was a system of ranking based on the ritual status as found in the *varna* concept of the *brāhmanic* theory of caste which is represented by the *brāhmanas* and a few *ksatriyas* while on the other there was a parallel system of ranking, the social position of which was determined primarily by political and economic status. These two systems of ranking appear to have functioned without friction and there seems to have been a healthy interaction among these groups.[21]

Although this was the situation in the earliest phase of Sri Lankan society, a significant change was taking place in it after about the first century A. D Some of the important social groups such as the *ayaṣ*, the *Parumakas* and the *gamikas* who constituted the upper and middle orders of the social hierarchy are no longer mentioned in the epigraphical or the literary sources.[22] When one takes into consideration the fact that at least three major groups in the social order of the previous period had disappeared from the social scene, it is quite certain that this must have had profound consequences for the system of ranking and for the social structure as a whole.

The establishment of a unified kingdom in the island sometime in the second century B. C., and its subsequent strengthening in the following centuries, and the resultant consolidation of the royal authority paved the way for the growth of a new type of administration in which officials appointed by the monarch assumed power and prestige.[23] In the new social order, as is revealed by the Buddhist commentarial literature of about the fifth century A. D., the emergence of a broadbased social division based on high or low birth is the most important phenomenon.[24] Here, the *ksatriya, brāhmana* and *gahapati* are stated as belonging to the higher order while several artisan and service groups are enumerated as those of low birth. Yet, what is significant is the fact that many artisan and service groups that belonged to the *gahapati* group in the earlier period are now placed below that of the *gahapatis* and ranked as low caste, and this marks a clear instance of downward mobility for several groups.[25]

The factors behind this change are not so clear, but it may be assumed that the strong Indian influence on the island as a result of close contacts that were developing, certain caste concepts in which artisan and service groups were relegated to a lower status were responsible for it. It is also possible that the gradual expansion of an extensive hydraulic system particularly after the first century A. D., gave a

new significance to those who owned land and were involved in agriculture.[26] Trade too was increasingly becoming important in this period as a major source of income, and the trading group through the wealth they had amassed must have been able to secure a new prominence in society.[27] This paved way for a clear division within the *gahapati* group separating those who were engaged in agriculture and trade from the artisan and service groups

It is also noteworthy that unlike in the earlier period, the division is now mainly determined by *jāti* or brith status ; with this, occupation also becomes closely identified with social position. This certainly indicates a system of ranking and social status determination closer to certain requirements prescribed in the Brahmanic scriptures. The commentarial literature as well as the chronicles written during this period contain very clear and definite references emphasizing marriage within one's own social group or *jāti* as the ideal a fact that points to the endogamous nature of marriage.[28]

With the disappearance of the elite groups of the earlier period, a new elite was forming basically consisting of those closely associated with the royal court. They were mostly courtiers, district officials, ministers or troop-leaders or similar officials, who had acquired great wealth and prestige goods. By virtue of their wealth and position they had become a powerful group among the court circles.[29] They were also a closely knit group through inter-marriage. At least by about the sixth century A. D., if not earlier, they had grown into a very powerful and distinct group, known as the *kulinas* (or those of high birth).[30] Two prominent groups within this, namely the *Moriyas* and the *Lambakaranas*, took over the reigns of power and ruled the country for several centuries from the first century A. D.[31]

It may be observed that the *Lambakaranas* were descendants of a *vaisya* group that was sent to Sri Lanka by the emperor Asoka of India at the time of the arrival in the island of a sapling of the sacred *Bodhi* tree. By virtue of their being appointed guardians of the *Bodhi* tree and the high offices bestowed upon them, they soon became a principal group in the court circles.[32] The *Moriyas* too did not have a very high social position at first, but their history is also closely associated with the *Bodhi* tree and they too rose to prominence in the same manner as the *Lambakaranas*.[33] The first ruler of the *Moriyas*, who came to power in the fifth century A. D., is described in the chronicles as a descendant of a

kutumbika.[34] The *kutumbikas* in the Indian context was a segment of the *vaisya* caste, but, in Sri Lanka, they always enjoyed a higher social position maintaining close connection with royalty and ultimately capturing political power for themselves, their descendants later boldly claiming *ksatriya* status. These are clear instances of upward group mobility in the Anuradhapura period.

Although there is no firm evidence of the existence of a *ksatriya* caste in Sri Lanka at any time of its history, the literary works written in later times lead us to conclude that the royalty consisted of the *ksatriyas*.[35] The firm establishment of royal authority over the entire island with the help of a hierarchy of regional officials appointed by the king himself must certainly have elevated the status of royalty far above that of the *kulina* elite groups in which it had its roots. It appears that Sinhalese royalty had assumed *ksatriya* status by about the fifth century A. D., if not earlier, or at least that it had become common belief in society that its rulers were *ksatriyas*. The consanguineous marriages within the immediate family circles of the royalty, a feature which came into vogue from about the third century A. D., may also have made them a distinctly separate social group.[36]

The elevation of royalty above the position of the powerful elite groups in which it had its origins, to *ksatriya* status, must have required some form of ritual validation as a means of legitimation of that process. The first signs of this are found in the chronicle *Mahāvamsa* which says that the Sinhalese kings were *ksatriyas*.[37] The commentarial literature also mentions that any one who assumes kingship is a *ksatriya*.[38] However, more elaborate and concerted efforts invalidating this position begin to be made only from about the ninth century onwards when kings took great pains to give a long genealogy in their inscriptions tracing their ancestry to reputed Indian *ksatriya* families such as the *Okkākas* (Ikasvākus) to which the Buddha too is said to have belonged.[39]

In a situation where the ruling class basically consisted of the *kulinas* who were generally considered as of high birth (the term *'kulina'* literally means high birth), it is pertinent to ask whether offices in the court circles and regional administration always corresponded with one's caste and social position. Several Buddhist commentarial passages from the works of Buddhasghosa, seems to indicate that *jāti* or caste was becoming an important criterion in selecting persons for high office in government. According to the *Sammohavinodani*[40] commentary, the kings bestowed

high office on those who were of good birth. The same commentary, in another context while elaborating the qualities of a person mentions that high birth alone was sufficient to secure a high position in court circles.[41] In an interesting statement found in the same commentary, where it deals with the term *sūrabhāva* (valour), it says that, if a person who possesses the quality of valour happens to be of low birth, he may still be awarded high office by having his birth "purified "[42]

Though this evidence points to the requirement of having to be of high caste in seeking office in the state, the last commentarial passage seems to indicate a very important deviation In this regard, the phrase 'having purified (his) birth' (*jātim-śodhetvā*) requires special attention This clearly shows that those who did not belong to a higher caste too could be given positions in the administration after having 'washed' the social stigma attached to their birth. It obviously meant the elevation of the social positions of the persons concerned in the hierarchical order. Since such appointments were made by the ruling monarch, elevation of the social positon of those persons too must have been effected by the king himself.

The fact that the king had the right to upgrade or downgrade the social position of an individual is attested to in certain statements found again the Buddhist commentarial literature. The *Sammohavinodani*[43] in referring to an incident said to have taken place at the time of King Bhatikabhaya (22-07 B. C.) states that when a large number of people who had been accustomed to beef-eating were apprehended and brought before the king, they were made to work as scavengers in the palace compound. As scavenging was usually the occupation of the *candālas* (in fact the *cāndalas* are known to have been accustomed to beef-eating), the punishment meted out to those high caste people obviously amounted to social degradation The story then goes on to say that the king, having seen a beautiful woman who was the daughter of one of those subjected to punishment invited her to his harem and made her his queen consort. Consequently, her relatives too were pardoned. This story gives a clear indication to the fact that the king could downgrade people socially, but also had the power to upgrade them in the social scale if he thought fit. The king's right to upgrade or downgrade his subjects in the social scale appears to have remained effective throughout history for even in the seventeenth and eighteenth centuries there are instances where the kings exercised their prerogative. One clear instance is found in

the case of the *Gattara* caste. The *Gattaras* were treated as belonging to one of the lowest groups in the social hierarchy of the Kandyan period (A. D. 1597—1815).[44] In fact, they had earlier belonged to a high caste, but they were downgraded as a punishment for being involved in high treason. Although it is difficult to draw conclusions on the basis of this scanty evidence, it may point to the possibility of social mobility for the lower sections of society, though, perhaps, in a limited way.

Marriage is one factor that can be used as a determinant of the nature of social mobility and also a means by which social mobility could be achieved. As is evident from the earlier account, marriage between royalty and elite groups, particularly the *aya-prumuka gamika* and the *brāhmana* groups was a common feature in the early phase of Sri Lankan history. Even some members of the *gahapati* group had matrimonial relations with the elite groups. Thus it is possible that hypergamy provided a means of upward mobility for groups or individuals of relatively low social standing. Yet, it is difficult to theorize that marriage in that very early period had been strictly regulated by rules of caste, for it is unlikely that all forms of caste rules pertaining to marriage were in force in the island at that time.

Nevertheless, the changes that took place after about the first century A. D., must have brought about profound changes in the social structure in which concepts of birth status assumed increasing significance in defining one's social status. In the earlier period, though a system of ranking was prevalent it does not appear to have developed into a strict hierarchical stratification in which mobility was severely restricted. But with birth status becoming an important criterion in deciding one's social position, rules of marriage too must have been guided by the same considerations.

The sixth century chronicle *Mahāvamsa*, presumably depicting the general belief in society at the time, highlights the requirement that marriage should be between people of the same caste [45] The commentarial literature too repeats the same idea.[46] The inscriptions of the later Anuradhapura period reiterates the point that kings should be pure in lineage on both sides and that parents should be of equal *jāti* (birth or caste) [47] The scanty evidence does not permit us to draw definite conclusions about the relationship between marriage and social mobility among the ordinary people in later times. But one story in the *Sammohavinodani*[48] refers to an instance where a high caste male marrying a weaver's

daughter had to take up weaving for his living involving social degradation for him. If this represents the actual situation, it may be surmised that marriage to a person of a lower caste resulted in downgrading for the person concerned and that it did not provide an opportunity for upward mobility for the low caste partner. Yet, if we recall the incident in which king Bhatikabhaya married the scavenger's daughter, that marriage did not amount to social degradation for him who enjoyed the highest ritual status. This was presumably because the woman and her relatives had been elevated to a higher social status before the king invited her to his harem

It is striking that caste becomes a subject frequently mentioned in the literary as well as epigraphic sources of the post-Anuradhapura period, i. e. after 1070 A. D. A survey of the history of caste in this period clearly indicates that caste was becoming increasingly petrified and that caste rules were being rigidly implemented. The petrification of caste may be attributed partly to the rapid and continuous growth of the influence of the *Brāhmanas* in society and in court circles in particular. As mentioned earlier, the *Brāhmanas* were a powerful group in early Sri Lanka, but the rapid expansion of *Buddhism* definitely reduced the influence they could wield on society. However, from about the seventh century A. D. there was a clear resurgence of *brāhmanic* activities in court circles and from then on, the *Brāhmanas* became a force to reckon with in royal circles. The *Brāhmanic* influence in court circles becomes abundantly clear from the popularization of many *Brāhmanic* religious practices and ceremonies.[49]

Moreover, the subjugation of a large part of the island by the imperial *Colas* of South India in the early seventh century resulted in the island becoming a part of that empire. *Cola* rule which lasted for over a period of more than half a century, no doubt helped to further strengthen the *Brāhmanic* influence in the island.[50] Even the later Sinhalese rulers adopted and continued many Brahmanic religious and cultural practices. These developments must have also contributed a great deal to strengthen the existing concepts of caste and perhaps even provided ideological support for caste consciousness.[51]

This tendency is also reflected in the contemporary literary sources. For the first time, the great chronicle uses the term *catubbanna* (Sanskrit : *cāturvarna* which means the four castes) in describing caste with reference to the reign of Parakramabahu I (A. D. 1156—1186).[52] This king

is also hailed as one who safeguarded the *Varnāśramadharma* the *Brāhmanic* ideal of the institution of caste.[53]

A significant change that took place in the political arena after Parākramabāhu I, also must have been responsible for accelerating the process of petrification of caste. After Parākramabāhu I, the Sinhalese throne passed to a new dynasty hailing from Simhapura in Kalinga (southern Orissa in India) [54] The first ruler of this dynasty, Nissankamalla (1186—1195 A. D.), appears to have been extremely conscious of caste rules and ideology and he loudly boasts of his pure *ksatriya* lineage. He makes a bold statement in one of his lithic records ridiculing the people of the *govi-kula (govi* caste) for harbouring aspirations to kingship. He ridicules this desire by comparing it with a crow attempting to imitate a swan.[55] It is very likely that the *govi-kula* referred to therein was the same as the *gahapati-kula* of the previous period. The edict goes on to add that 'however powerful may be (the *govi-kula* people are) they should not be elected to rule. Those who pay obeisance to the persons of the same caste as themselves and render them the honour due to kings and those who accept from them offices and titles shall indeed be called traitors.[56]

This clearly shows that the *govi-kula* by this time had become a strong force to reckon with and this may be attributed to the powerful position they had acquired during the previous period, particularly under Parakramabahu I, whose military leadership was drawn mainly from this section. Even after the death of Parakramabahu, these military leaders wielded considerable power even playing the role of king-makers in the next few decades.[57]

Royal intervention in maintaining caste rules and institutions is further corroborated by evidence from the time of Queen *Kalyanavati* (A. D. 1202—1208) as is recorded in the chronicle *Cūlavamsa.* It is stated there that one general Ayasmanta, obviously on the instruction of the queen, 'having separated the four castes who had become impure through mixture, he who bent on doing good, had a textbook compiled which has law as its subject.[58] It is interesting that these measures of 'un-mixing of caste' was effected by another member of the same Kalinga dynasty to which Nissankamala belonged It is also a clear indication of the keen interest taken by these rulers to ensure that caste rules and concepts were properly observed and followed. There can be little doubt that these measures taken by the rulers contributed to the segregation of society on strict caste lines, thereby strengthening the process of petrification of the caste system.

It is possible that even before these measures were introduced by the Kalinga rulers, there were codified rules and regulations governing caste relationships. For, the *Buddumuttewa* inscription[59] of the time of Jayabahu II (A. D. 1122) mentions that when dispute arose between the washermen and goldsmiths regarding their ritual status in the caste hierarchy, the *panca-pradhāna* or the five chief officers of the royal court met in session and settled the dispute having consulted the laws pertaining to caste.

The literary works of the twelfth century and later period frequently refer to four *varnas* or castes with reference to Sri Lanka, but their enumeration of it is different from the usual four-fold division found in the Brahmanic scriptures. According to these literary works the four *varnas (catur-varna)* were *raja* (royalty), *bamunu (brahmana)*, velanda (merchants) and govi (literally agriculturists, but most probably the same as the *gahapatis* of the earlier period).[60] They also add (*nica-jati* or *nica-kula* (those of low birth or inferior caste) as the fifth.[61]

From these divisions it appears that though the concept of *cāturvarna* was accepted as the norm, the Sri Lankans made their own adjustments, unique to them. The first two in the hierarchy, namely the royalty and the *Brāhmanas* were already known in the earlier period, but the mention of the *velanda* and *govi* as constituting the next two rungs is interesting. The *govi* which in the previous period had enjoyed a powerful position even aspiring to kingship is relegated to the fourth position in the new hierarchical order. A new caste, the *velanda-kula* or the caste of merchants had assumed the third position in the hierarchical order It is important to note that trade and commerce were actually considered the occupations of the *gahapati* group which later evolved into the *govi-kula.* Perhaps this means that in the post-Polonnaruwa period the *govi-kula* underwent a fundamental structural change in which process one of its sections, the merchants or the traders elevated themselves at a step higher in the social hierarchy. If so, this process indicates some downward mobility for the *govi-kula*, while a section of it climbed a step upward in the ladder.

The reference to a merchant caste in the literature of the Polonnaruva period and its continuance in the sources of the later periods too is not without significance. The fact that this group occupied the third position of the caste hierarchy pushing the *govi-kula* to the fourth position raises several questions—Why did a merchant caste emerged in the first place

during the medieval period whereas no such caste was in existence in the preceding period ? How did this group which had a distinctly occupational bearing came to occupy a higher status than the *govi-kula* which enjoyed a very high social standing in the Polonnaruva period ? What factors were behind the rise of this section into prominence in the medieval times ? Although answers to these questions may not be available immediately, some explanations are found in certain changes discernible in the economic and political spheres, beginning in the Polonnaruva period and continuing into later times.

The shift of the centre of power from the dry zone or the north-central planes where an intricate hydraulic system formed the backbone of the civilization to the wet zone or the south-west of the country in the thirteenth century unleashed a series of fundamental changes in almost every area of the island's history There appears to have been a clear shift of emphasis in the economic sphere mainly marked by less dependence upon irrigationbased agriculture In this situation, the rulers were beginning to depend heavily on trade for income In fact, trade was one of the main sources of income for rulers in Sri Lanka throughout its history, but the reign of Parakramabahu I records the high watermark of Sri Lanka's involvement in international trade in the Polonnaruva period.[62]

As S. Kiribamune[63] has convincingly argued in a recent article, with the diminution of dependence on irrigationbased agriculture, the rulers of the post-Polonnaruva period were looking forward to reaping the benefits of foreign trade to fill their coffers Although Sri Lanka lost the commanding position it enjoyed in the Bay of Bengal trade at that time of Parakramabahu I, sometime after the death of that ruler, Sri Lankan commodities were still in great demand overseas Sources of the thirteenth century and later period mention gems, pearls, spices of different kinds, ivory etc as items that the Sri Lankans could offer to foreign traders.[64]

The high priority given to overseas trade by the rulers of the medieval period is best illustrated by a letter from a Sri Lankan king in the fourteenth century to the Sultan of Egypt soliciting direct trade relations between the two kingdoms. In this letter the Sri Lankan ruler offers many concessions to the Egyptians and even proposing the exchange of envoys to strengthen ties [65] Some scholars think that trade was a prime consideration when the rulers of later times changed their capitals to

areas closer to the western sea-board, the ports of which were assuming greater importance in trade with the Arab world.[66]

In these circumstances, it is probable that rulers as well as the elite groups began to depend heavily on trade and this is reflected in the many donations made to religious institutions. Most of these donations are mentioned in terms of money and interestingly enough the largest number of patrons after royalty belonged to the merchant caste [67]

The prominence achieved by the merchant caste in society is also well attested by the influential positions they held in politics and administration at the time The Alakeśvara family who are described in their early records as members of the merchant caste[68] finally managed to capture political power in the country in the latter part of the fourteenth century.[69] The fifteenth century literary work *Parakumbā-Sirita*[70] refers to some members of the merchant caste serving as regional rulers and potentates. Members of this community also held the higher administrative posts in the royal courts of the Gampola and Kotte Kingdoms (fourteenth through sixteenth century A. D).[71]

Thus the merchant caste or the *velanda-kula* was certainly enjoying elite status in society throughout the medieval period and at times some of their members even rose to the ranks of political leadership. This was possible no doubt because of the wealth they had accumulated through trade that had earned a new respectability in the economic sphere. The importance gained by trade in turn, helped the members of the trading community to rise to new heights elevating it to a new ritual status separating themselves from the *govi-kula* to which they originally belonged Thus it is a clear case of group mobility in the upward direction

To sum up, contrary to the belief that South Asian caste-based societies were static societies that left no room for social change or caula mobility, Sri Lankan society from the beginning was developing on lines which made group as well as individual mobility possible In the earliest period when caste had not fully developed, both horizontal and vertical mobility was possible within the elite groups as well as in the *gahapati* group Even when caste concepts began to take firm root in later times the clearly discernible social division was that of low birth and high birth. Even between these two sections, though the gap was wide, mobility for people of lower groups was permitted subject to certain conditions. In such instances, individual mobility took the form of elevation in rank conferred by the ruling monarchs who appear to have freely exercised this

prerogative In the medieval period, when caste was becoming petrified, the middle orders of society experienced further splits resulting in the emergence of new caste groups, while ritual status was primarily determined by economic and political considerations

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INDEPENDENCE OF JUDICIARY IN THE THIRD WORLD : THE CASE OF BANGLADESH

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1. Introduction

Many of the third world countries of Asia, Africa and Latin America were the colonies of the west for centuries. The colonial rulers "ran the administration of the countries in the way they liked without paying heed to the democratic principles or the rule of law as they propounded/ practised in their own countries or in the civilized world."[1] The inhabitants of these countries were deprived of their national independence and of the basic rights to choose and elect their own governments and to take part in the affairs of their own lands There was no separation of powers among the three branches of government : executive, legislature and judiciary. As there was no strong legislature and independent judiciary the executive usurped all the powers in order to strengthen colonial rule There was no guaranteed human rights in the constitutional documents because the colonial government had no will and means to make them effective [2]

With this end in view, the local inhabitants were tactfully deprived of the light of modern education, civilization and culture, science and technology as well as political system. Economically they were exploited by the colonial rulers . they produced raw materials which were sent to the lands of the colonial rulers, again they were sent back to the colonies as finished products That was why heavy industries have not been established in these lands Most of the people remained illiterate, poor and economically backward. Social values and sentiments, democratic principles and ideals, institutionalized political system and scientific approach towards life had got no chance to be deeply rooted in their minds They had to fight against their colonial rules, apparently sophisticated, polished, enlightened, educated and institutionalized group of people to earn their long cherished independence which had been matched away long before.

However, this situation did not continue long, because the devastating impacts of the Second World War gave rise to a great revolution in the colonies, Many of the third world countries after that

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War earned their independence which had a far-reaching effect in the history of world civilization This decolonization process again gave birth to neo-colonialism in these newly independent lands.

Though the countries earned their national endependence but some problems regarding the structure of government have grown up The peoples of many of the countries became "unable" to run the affairs of the government because they had no experience and training in this regard There was no constitutional set-up, no institutionalized democratic system, no ideal political party and as such leadership crisis is found everywhere. Systematic elections cannot be held because rigging is the common feature of the elections "As before, people of these countries remain mentally backward, economically downtrodden, socialy illiterate, fanatic "having no knowledge of the development of science and technology."[3]

The big powers take this advantage and give some privileges to the people of the government, give short and long term loans in the name of development programmes and ultimately dictate the politics and future of these countries In some countries they instigate their pet civil persons or military officers, generally from the army, to take power and to run the administration of the country as they desire. If the government in power does not serve their purpose they oust the government and bring another one in power to achieve their desired goals.

In the third world countries the role of the military in politics is remarkable In these countries the military is the institutionalized and organized group who were well-trained, well-educated and well-paid during the colonial era and this tradition has been continuing even after these countries earned their independence. They desire to take part in the politics of these countries [4] Sometimes they overthrow the existing governments and come into power, abrogate or suspend the existing constitutions and rule the countries year after year either in the name of martial law or in the name of "democracy"[5] as they call it. The military ruler runs the country after the fashion of the medieval ruler or emperor where the constitution was what the ruler said it was. However, the military rule is certainly worse than the colonial rule

In a third world country, parliament being another branch of government entrusted with law making, remains ineffective as it was so during the colonial era. Parliament has to pass laws which the chief executive desires to promulgate It has more or less become a rubber

stamp body without having a significant role in making laws for the welfare of the country. Its role becomes precarious during the military rule. Even it remains dissolved or suspended for certain period on proclamation of martial law or during the continuance of martial law.

Against this anarchical backdrop, the Independence of Judiciary in the context of the third world in general and Bangladesh in particular will have to be discussed and assessed with a view to giving the proper status of judiciary as enshrined in the national constitution.

The guardian of the constitution and protector of civil liberties as the western jurists call it, judiciary in the third world has no complete independence In many countries it has become the subordinate branch of the executive. In these countries frequently emergency is declared throughout the country suspending some of the fundamental rights as guaranteed by the constitution. In such emergency situations the executive is indulged in "excesses" which are not contemplated by the constitution The judiciary in such situation, due to its internal weaknesses, cannot play its due role and protect the life, liberty and property of the citizens. Many of the judges are political appointees and after being appointed, remain more or less attached to political ideology and become weak to maintain independence and integrity in such a grave situation.

The situation becomes more precarious during the martial law period Whenever martial law is proclaimed the national constitution is either abrogated or suspended and martial law proclamations, regulations and orders become the supreme law of the land. The judiciary has been expressly brought under the executive authority i e. martial law authority and has been made the subordinate branch of the executive government. The superior judiciary does not derive its authority from the national constitution and as a result it cannot play its role as enshrined in the constitution. Sometimes judges are threatened, sometimes they are removed from services, and sometimes they have been given higher or other assignments to please them The judiciary has to recognize the military government against the dictates of their conscience and reason. In some cases it has been seen that the judiciary has to take recourse to the doctrine of efficacy as propounded by Hans Kelsen and to recognize the military rule or martial law as declared by the military authority.[7]

During the continuance of martial law the judiciary cannot enforce fundamental rights as guaranteed by the constitution. It is generally seen

that the declaration of martial law is attached to the provision of suspension of fundamental rights The judiciary in such situation has fallen in a precarious position and become helpless to enforce the civil rights of the people The Independence of Judiciary is not only gone, gone also colonial power of defender of civil liberties

Even when the normal situation is in existence and the constitution is in force the judiciary is not immune from political pressure and its independence is curtailed by way of certain procedures such as low salary, motivated appointment procedures, motivated removal procedure, scheduled interference by the executive etc All these factors affected the Independence of Judiciary to a great extent.

From the above discussion it is evident that the judiciary in the third world is more or less in the same position as it was in the colonial era and is certainly in worse situation in a country where martial law was/is declared. Bangladesh is a country which earned its first independence as part of Pakistan in 1947 and again in 1971. During the continuance of its first independence martial law was proclaimed two times . one in 1958 which continued upto 1962 and the other in 1969 during the continuance of which Bangladesh has emerged as an independent sovereign State.

In the present study an assessment will be made with regard to Indepdenence of Judiciary in Bangladesh starting from 1971. Before doing that some theoretical background with reference to development of Independence of Judiciary in the international context will be highlighted with a view to giving the correct and proper perspective of the study.

2. Independence of Judiciary in the International Contexts

The term 'Independence of Judiciary' means that the judges must be free to discharge their duties without any consideration for any quarter including the authority which appoints them to office. In adjudicating cases, the judges must be free from all social and political influence Unless the judges are independent of outside or underhand control, they cannot be expected to render impartial judgements. According to the definition drawn up by the International Commission of Jurists, "Independence of the Judiciary means that every judge is free to decide matters before him in accordance with his assessment of the facts and his understanding of the law without any improper influences, inducements or pressures from any quarter or for whatever reason ...."[8]

The term 'Independence of Judiciary' is very much related to the theory of separation of powers which was first clearly enunciated by montesquieu in the following words ·

> When the legislative and executive power are united in the same person or body there can be no liberty
>
> Again, there is no liberty if the judicial power is not separated from the legislative and the executive
>
> There should be an end of everything, were the same person or the same body, whether of the nobles or of the people, to exercise all those three powers [9]

A complete separation of powers is neither possible nor desirable on the ground that "the extreme interpretation is impossible of achievement in practice under modern condition, since the business of a constitutional government is so complex that it cannot define the area of each department in such a manner as to leave each independent and supreme in its allotted sphere "[10] There is "an echo of this"[11] statement in *commentaries* written by Blackstone, "In all tyrannical Governments . the right of making and of enforcing the laws is vested in one and the same man, or the same body of men ; and wheresoever these two powers are united together there can be no liberity."[12] The framers of the constitution of the United States of America accepted this doctrine to run the Government smoothly, and in course of time a system of checks and balances developed therein which may be taken as a model for any state in the present world.

Thus, it is observed that the Independence of Judiciary is very much related to the theory of separation of powers, because this theory gives first and foremost security for the Independence of Judiciary. Other factors for security of Independence of Judiciary are to be taken into consideration . (i) Independence of Judiciary depends greatly upon the personal worth of judges; (ii) the condition of service of judges must be such that really talented and worthy persons are attracted to those jobs, (iii) a clear constitutional provision should exist that all laws passed by the legislature and all executive orders and actions shall be subject to judicial scrutiny

The Charter of the United Nations Organisation 1945 is the first instrument which has internationalized human rights and fundamental freedoms. The Universal Declaration of Human Rights, 1948, in explaining human rights and fundamental freedoms categorically provides that in the determination of the rights and obligations of any person and any criminal charge against him, he "is entitled in full

equality to a fair and public hearing by an independent and impartial tribunal".[13] Following the Universal Declaration of Human Rights, 1948, the International Covenant on Civil and Political Rights, 1966, under Articles 14, contains similar provision which legally cannot be denied by the international community

The adoption of the Basic Principles on the Independence of the Judiciary by the General Assembly of the United Nations in 1985[14] and the United Nations Draft Declaration on the Independence of Justice, 1989, explicitly define the international norms as to independence of Justice. "The Basic Principles", as stated in the Preamble, "formulated to assist the member-States in their task of securing and promoting the independence of the judiciary should be taken into account and respected by Government within the framework of their national legislation and practice and be brought to the attention of judges, lawyers, members of the executive and the legislature and public in general".

The Basic Principles on the Independence of Judiciary as well as the united Nations Draft Declaration on the Independence of Justice provide some principles with regard to the collective Independence of the Judiciary. The principles are as follows .

(a) *Concept of non-interference* . "An important safeguard for judicial independence guaranteed by the Basic Principles is the requirement of a constitutional guarantee of non-interference with judicial proceedings "[16] It states categorically that "independence of judiciary shall be guaranteed"[17] and it is "the duty of all governmental and other institutions to respect and observe the independence of the judiciary."[18]There shall not be any inappropriate or unwarranted interference with the judicial process."[19]

(b) *Jurisdictional monopoly :* The judiciary shall have jurisdiction over all issues of a judicial nature.[20] Establishment of exceptional courts or special tribunals to decide certain categories of cases can undermine judicial independence and undercut judicial authority

(c) *Transfer of jurisdiction :* Everyone shall have the right to be tried by ordinary courts or tribunals using established procedures. Tribunals that do not use the duly established procedures of the legal process shall not be created to display the jurisdiction belonging to the ordinary courts or judicial tribunals.[21] Judicial procedures are conducted fairly so that rights of the parties are respected.[22]

(d) *Control over judicial administration :* It is required that judiciary shall control its own administration. "The main responsibility for court administration including supervision and disciplinary control of administration personnel and support staff shall rest in the judiciary, or in a body in which the judiciary is represented and has an effective role.[23]

All these may be required for collective Independence of Judiciary But this is not all . along with these requirements other things are to be required which are very much personal attached to the judiciary or judges.

As regards personal independence, the Basic Principles state that judges shall decide impartially matters on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interference from any quarter or for any reason.[24] Judges are like other citizens entitled to freedom of expression, belief, association and assembly.[25] They are also free to form and join association of judges or other organizations to represent their interests, to promote their professional training and protect their judicial independence.[26]

The mechanisms to protect judges and their personal independence should particularly include ·

(a) *Security of tenure :* "The most important measure to protect the personal independence of judges is the guarantee of tenure in office."[27] Judges shall have guaranteed tenure until a mandatory retirement age or the expiry of their term of office, where such exists.[28]

The term of the office of judges, their independence,security,adequate remuneration, conditions of security, pensions and the age of retirement are to be adequately secured by law [29] Promotion of judges should be based on objective factors, in particular, ability, integrity and experience.[30] With regard to security of tenure P.N. Bhagwati comments :

> Another important factor that has considerable bearing on the independence of the judiciary is security of tenure The tenure of judges cannot be made dependent on the mere pleasure of the government or the legislative majority That is why there are provision in most constitutions guaranteeing security of tenure to judges [31]

(b) *Protection from arbitrary removal from office :* A judge shall have the right to a fair hearing when a charge or complaint is made against him in his judicial or professional capacity [32]

A judge shall be subject to suspension or removal in accordance with established standards of judicial conduct only for reasons of incapacity or behaviour that renders him unfit to discharge his duty.[33] Decisions in disciplinary action, suspension or removal proceedings shall be subject to an independent review.[34]

(c) *Impartial selection process :* Persons selected for judical office shall be individuals of integrity and ability with appropriate training or qualifications in law. In the selection of judges, there shall be no discrimination against a person on the grounds of race, colour, sex, religion, political or other opinion, national or social origin, property, birth or status.[35] The same principle also applies to the promotion of judges.[36] In this connection the view of P.N. Bhagwati may be placed ·

> The power of appointment of judges is a large power and if it is vested exclusively in the executive, it is likely to undermine the independence of the judiciary in both its aspects It is necessary that a mechanism be developed which would eliminate...the influence of the executive in the appointment of judges so that those arriving for judicial appointments might not be induced to lobby with the executive [37]

He goes on saying :

> In some countries appointments of Chief Justices of High Courts are made on an acting basis, and they continue as acting Chief Justices for months This is a pernicious practice, detrimental to the independence of the judiciary, because the acting Chief Justice is always in a state of suspense, not knowing whether he will be confirmed or not and depending on the executive for his confirmation [38]

(d) *Guarantee of adequate salary and financial resources :* It is expected that judges should be given proper salary which would reduce personal dependency and corruption and help to attract best professionally qualified persons to the bench. Their salaries should not be diminished during their term of office, and they should be " periodically reviewed to overcome or minimize the effect of inflation "[39] In addition, judges should receive pensions after their retirements[40] as well as compensation as provided and secured by law.[41]

(e) *Prohibition of punitive transfer of judges* · Involuntary transfer can be punitive and is also often tantamount to an invitation to resign, and the lack of constraints on transfer can seriously compromise personal judicial independence "Judges shall not be transferred... without their consent."[42]

(f) *Personal immunity :* Judges should enjoy personal immunity from civil suits for monitary damages for improper acts or omissions in the exercise of their judicial function [43] This guarantee ensures personal judicial independence of a judge in the exercise of his judicial function.

(g) *Guarantee against unjust and improper criticism :* Unjust and improper criticism of the judges for the judgements they deliver affects the personal judicial independence of judges. "Improper or intemperate criticism of judges stemming from dissatisfaction with their decisions constitute .. a serious inroad into the independence of the judiciary as they represent attempts on the part of those who indulge in such criticism to coerce judicial conformity with their own preconceptions and thereby influence the decision-making process.[44]

All these are the major factors which are very much related to the Independence of Judiciary Another factor may be added to these which affects the Independence of Judiciary to a great extent; this is what is the dependence of judiciary on the executive for resources. As the judiciary cannot create fund independently, so it cannot introduce modern technology in the functioning of the system of courts, it cannot expand its facilities, it cannot appoint more judges to expedite the disposal of cases without the necessary funds made available to it by the executive "The judiciary is thus completely dependent on the executive for any reform or innovation it wants to make with a view to effectively improving the administration of justice."[45] There must be a constitutional guarantee for the necessary resources for the judiciary with a view to ensuring Independence of Judiciary.

From the above discussion it is clearly evident that the judiciary to be independent depends on many factors which cannot be denied in the present day world. Independence of Judiciary has two aspects : conceptual aspect and practical aspect. It comprises two basic postulates. Independence of Judiciary as an institutional organ and the independence of the individual judges. In the discussion on the Independence of Judiciary in the context of Bangladesh a survey will be made taking into consideration these two aspects and postulates

3. Judicial Function and Accountability

No body can deny that the judiciary is the chief functionary for the application of the laws of the land to individual cases and to dispose of them accordingly. In applying laws to decide cases it has often to interpret

existing laws when they are found ambiguous and to determine whether the given case comes within the purview of the legal system. If not, the court proceeds to decide the case according to their senses of justice, equity and good conscience. In this way, the judiciary makes laws. In many countries judiciary acts as the defender and guardian of the constitution. The claim of a Chief Justice of America that "the Constitution is what the judges say it is" is known to all. Judiciary formulates its own rules of business and also makes rules for the guidance of all who come before it. Judiciary advises the executive on purely legal matters if and when such advice is sought by the executive. Judges are often empowered to grant licences to appoint local officers, guardians and trustees of properties and to administer property of the deceased persons.

It should be mentioned that the power of judicial review has been claimed as the important power of the high constitutional court of any country. The term 'judicial review' as propounded by the Chief Justice of the United States of America, Marshall in the famous case of *Marbury v Madison*[46] means the examination of ordinary laws to determine their constitutional validity and of executive orders and acts to pronounce upon their legal effects. Marshall held, "All those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently, the theory of every such government must be, that an Act of the Legislature, repugnant to the constitution, is void "[47]

However, there are constitutional limitations as to the power of judicial review. In this connection view of Durga Das Basu may, as for instance, be noted, " If the constitution operates as a limitation upon all the organs of the State which are created by it, it would *prima facie*, follow that it would operate upon and curb the powers not only of the executive and the legislature, but also of the judiciary."[48]

From the above discussion it is apparent that adjudication of cases is the primary function of the judiciary of any country. View of Edward Coke in the context of England may be mentioned : "The king in his own person cannot adjudicate any case... but this ought to be determined and judged in some Court of Justice, according to the law and custom of England."[49] The echo of these words can be found in the words of Archibold Cox who views that in the United States of America, the United Kingdom, and in India the role of judge is subordinate to the legislator

because he must apply the law made by the people's elected representatives not only when the meaning of the words which they enact is plain but even when the intent is fairly discoverable apart from ambiguous words.[50]

Limitation as to due judicial function has been described by his lordship Leslie Scarman in the following words :

> The judge, however wise, creative, and imaginative he may be, is cabin'd, cribb'd, confin'd in not, as was Macbeth, to his 'saucy doubts and fears' but by the evidence and arguments of the litigants It is this limitation, inherent in the forensic process, which sets bound to the scope of judical law reform [51]

The limitation and confinement of judges has been expressed by John Bell in the following words .

> Judges are confined to questions of 'principle' while the executive and the legislature may justify themselves by arguments of 'policy' [52]

The most acceptable view has been put forward by Lord Denning :

> Judicial power rests on the confined wisdom of the judges Their jurisdiction is more restrictive than creative Their principal function is to restrain the abuse of power by others in the state [53]

Judicial accountability is very much related to Independence of Judiciary and judicial activism Judges shall be bound by professional secrecy with regard to their deliberateness and to confidential information acquired in the course of their duties other in public proceedings and shall not be compelled to testify on such matters.[54] "Accountability is here used to denote the manner in which a judiciary justifies its decision making. It is only a device used to justify, legitimate, explain and ... control the exercise of power.[55]

Judicial accountability is divided into two groups . primary accountability which exists where an institution claims to be directly accountable seeking to justify its decisions by reference to its own methods, work or structure ; secondary accountability which exists where an institution claims to be indirectly accountable claiming to justify itself and its work through some other institution. It may be divided into three categories : legal accountability which includes the disciplinary supervision over judges, appellate review of their decisions, and their civil and criminal liabilities; public accountability which includes the control over judges exercised by parliament or legislative body existing in each society, the executive, the general press and pressure groups, and informal accountability which induces the social and professional

controls exercised and often in private, away from public gaze. "Such informal controls and professional pressures are exerted on judges by their judicial brethren [sic] and superiors and by their professional colleagues."[56]

From this it is observed that Independence of Judiciary does not mean unlimited independence exercised by judiciary. It is limited by the constitution, which is the supreme law of the land, by which it is guaranteed. Moreover, it is also accountable to such groups or bodies as the constitution, conventions, practices of the country demand. In such a way, a check and balance is maintained with a view to smooth running the judicial administration of the country

4. Independence of Judiciary under the Constitution of Bangladesh

The Constitution of the People's Republic of Bangladesh[57] provides that "the State shall ensure the separation of the judiciary from the executive organs of the State "[58] This provision is one of the fundamental principles of State Policy which *inter alia* cannot be enforced in the court of law ; and therefore, it has not yet been implemented

However, the constitution, like any other democratic constitution, provides for the establishment of the Supreme Court of Bangladesh comprising the appellate Division and the High Court Division [59] The appellate Division shall have the jurisdiction to hear and determine appeals from the judgements, decrees, orders or sentences of the High Court Division.[60] This Division shall have power to issue such directions, orders, decrees or writs as may be necessary for doing complete justice in any case.[61] It can review any judgement pronounced by it, and it can give opinion on a question of law referred to it by the President [62] The High Court Division shall have such original; appellate and other jurisdiction, powers and functions as are or may be conferred on it by the Constitution or any other law.[63] This Division has the jurisdiction to issue directions or orders for the enforcement of the fundamental rights conferred by Part III of the Constitution.[64] The right to move the High Court Division for the enforcement of fundamental rights is itself a justiciable fundamental right as mentioned in Article 44. The Constitution contains provision for power of judicial review to be exercised by the High Court Division [65] The High Court Division has the power of superintendence and control over all courts and tribunals subordinate to it.[66] The supreme court is a court of record.[68]

These are the main judicial functions of the Supreme Court of Bangladesh In exercising these judicial functions the following safeguards have been provided for in the Costitution of Bangladesh :

The Constitution of Bangladesh, 1972 "in its original form devised a scheme of completely independent judiciary."[69] In order to ensure the Independence of Judiciary it has been provided first, "The Chief Justice and the other Judges shall be independent in the exercise of their judicial function "[70] Similar provisions have been provided for in the case of subordinate judiciary. Article 116A provides, "... All persons employed in the judicial service and all magistrates shall be independent in the exercise of their judicial functions." These are constitutional acknowledgement of the judiciary, both higher and subordinate. But as the question with regard to separation of subordinate judiciary from the executive has not been resolved, so this sort of acknowledgement of independence of subordinate judiciary cannot be fully implemented

Original Article 95(1) provided, "The Chief Justice shall be appointed by the President, and the other judges shall be appointed by the President after consultation with the Chief Justice " This was a salutary provision which recognized the principle that the appointments to the constitutional court need to be above political considerations and the Chief Justice of this Court is the head of the judiciary who is to be consulted before other judges of this Court are to be appointed The Constitution (Fourth Amendment) Act, 1975 (Act II of 1975) amended Article 95(1) and substituted the following ," The Chief Justice and other Judges shall be appointed by the President."[71] Though there is no provision in the Constitution for the consultation of the President with the Chief Justice, but it has been an established practice that all judges are to be appointed by the President after consultation with the Chief Justice. Attempt was made in Febuary 1994 to appoint Nine Additional Judges to the High Court Division without consultation with the Chief Justice, and in pursuance to the protests made from the Bar and Bench the notification for appointments was rescinded and fresh appointments have been made in consultation with the Chief Justice. Original Article 95(2) provided that a citizen of Bangladesh being an advocate of the Supreme Court of not less than ten years standing or a citizen holding judicial office or being an advocate for not less than ten years in the territory of Bangladesh and having exercised the powers of a district judge for not less than three years, was eligible for appointment as a judge The

qualification was relaxed in order to "accommodate appointments not enough to meet the original constitutional requirements."[72] Now, the constitutional requirement is this · a citizen of Bangladesh being an advocate of the Supreme Court of not less than ten years standing or a person holding judicial office for not less than ten years in the territory of Bangladesh or having such other qualifications as may be prescribed by law, is eligible for appointment as a judge Under original Article 96(2) judge was irremovable except by an order of the President passed pursuant to a resolution of Parliament supported by a majority of not less than two-thirds of the total number of members of Parliament on the ground of "proved misbehaviour or incapacity " The Constitution (Fourth Amendment) Act, 1975, amended clause (2) of Article 96 and made a judge removable "by order of the President on the ground of misbehaviour or incapacity"[73] after a show cause. The Second Proclamation Order (Order No. 1 of 1977) substituted Article 96(2) and (3) which provides that the judges are removable on the ground of incapacity or gross misconduct on a report submitted to the President by the Supreme Judicial Council consisting of the Chief Justice and the two next senior judges.

The remuneration, privileges and other terms and conditions of service of a Judge shall not be varied to his disadvantage during his term of office. The remuneration, privileges and other terms and conditions of service of a judge shall be determined by or under Act of Parliament [74] Remuneration payable to a Judge shall be charged upon the Consolidated Fund which may be discussed in, but shall not be submitted to the vote of parliament.[75]

Original Article 96(1) provided that a Judge shall hold office until he has attained the age of sixty two years. In 1986 this provision of "the age of sixty two years" has been substituted for " the age of sixty five years". It means if he is not removed earlier on the ground of incapacity or gross misconduct he will hold office upto the age of sixty five years

The Constitution ensures that all authorities, executive and judicial, in the Republic shall act in aid of the Supreme Court [76] This has been made mandatory to execute the decisions of the Supreme Court because it has no machinery of its own. Moreover, the Supreme Court has been empowered to control its staff Appointments to the staff of the Supreme Court shall be made by the Chief Justice or by any Judge or Officer of the Court as may be directed by the Chief Justice. These appointments shall be made in accordance with rules made by the Supreme Court with the

previous approval of the President.[77] The conditions of service of members of the staff of the Supreme Court shall be such as may be prescribed by rules made by that Court subject to the provisions of any Act of parliament.[78]

From the above discussion it is observed that the original Constitution of Bangladesh, 1972, contained provisions with a view to ensuring Independence of Judiciary These safeguards with regard to Independence of Judiciary are more or less in conformity with the norms and standards as set up by international law. It may be noted that the Constitution ensured Independence of Judiciary before movement for Independence of Judiciary was launched at international level and before the Basic Principles of Independence of Judiciary, 1985, and United Nations Draft Declaration of Independence of Justice, 1989, were adopted under the United Nations System. In the following pages it will be seen how far the constitutional court, the Supreme Court, has been maintaining its independence in dispensing justice since its establishment in 1972 within the framework of the Constitution of Bangladesh, 1972.

5. Independence of Judiciary in Practice

A. *Independence of Judiciary under the Original Constitution*

As it has been stated in the preceding section that the original Constitution of Bangladesh ensured Independence of Judiciary which is unprecedented in the history of the third world. But this ideal approach was shattered, and restraints and constraints were imposed on the judiciary by the Fourth Amendment to the Constitution in early 1975. In August 1975 martial law was declared throughout the country and the Constitution of Bangladesh remained suspended and the Supreme Court was made subordinate to the martial law authority The martial law was withdrawn in 1979 and again was imposed in 1982 which continued upto 1986 The Constitution was radically changed in 1991 re-introducing parliamentary democracy which was abolished in 1975 by the Fourth Amendment to the Constitution of Bangladesh, 1972.

To begin with the status of judiciary within the framework of the original Constitution of 1972, it may be again mentioned that the Supreme Court started to exercise judicial functions independently and maintained the status and tradition of the highest judiciary in the country the manifestation of which can be found, as for example, in the

case of *A. T. Mridha v. the State.*[79] In that case Badrul Haider Chowdhury J , as he then was, held that the superintending power of the High Court Division of the Supreme Court under Article 109 of the Constitution was available for correcting measures in the interest of justice and this power was exercisable over all the courts within the territories of Bangladesh. Where a tribunal had been set up under a Special Act, it was the duty of the High Court Division to see in the exercise of its power or superintendence that such tribunal acted within the limits of statute creating it and applied correctly and properly the laws it was authorised to administer The revisional jurisdiction under sections 435 and 439 of the Code of Criminal Procedure, 1898, was preserved since it had not been taken away by the express words by the legislature, and these sections would come into play whenever interference was called for. The inherent jurisdiction of the High Court Division under section 561H of the Code of Criminal Procedure, 1898, had been preserved and this power was available for ancillary and auxiliary purposes for doing justice.

Though the decision of the High Court Division was reversed by the Appellate Division[80], the attempt of the High Court Division to establish the authority of the superior court over special tribunals and to protect the liberty of the people has been acclaimed with high appreciation D. C M Yardley writes :

> This is clear and vigorous expression of judicial power, and shows that Bangladesh High Court is as careful as have been the courts of India and Pakistan during the recent past to protect the liberty of the individual against excessive use of executive power [81]

In this connection decision in the case of *Kazi Mukhlesur Rahman v. Bangladesh* may be mentioned As soon as the Delhi Treaty concerning the demarcation of the land boundary between Bangladesh and India and related matters was signed, its validity was challenged in the Supreme Court on the ground that involved cession of territory which created an impending threat to the appellant's certain fundamental rights guaranteed by the Constitution of Bangladesh, namely, to move freely throughout the territory of Bangladesh, to reside and settle in any place therein as well as right of franchise. On this point Sayem C. J. observed that these rights attached to a citizen were not local , they pervaded and extended to every inch of the territory of Bangladesh stretching upto the continental shelf.[82] His lordship held that as the terms of the Treaty amounted to cession of territory to India it could not be implemented without amending Article 2 of the Constitution of Bangladesh, 1972,

which defined the territory of the Republic.[83] With a view to enabling the Government to give effect to Delhi Treaty by transferring an area in exchange of two enclaves of Indian territory, as per decision of the Supreme Court of Bangladesh, the Constitution was amended by the Constitution (Third Amendment) Act, 1974 (Act LXXIV of 1974), which re-defined the territory of the Republic by modifying Article 2 (a) of the Constitution.[84]

The Supreme Court took a valiant stand in interpreting the Jatiya Rakkhi Bahini Order,1972 (Order XXI of 1972).[85] The said Court made a strong comment on the irregular and unsatisfactory manner in which the Jatiya Rakkhi Bahini handled the matter and called upon the authority to take effective action so that a sense of security and assurance prevailed in the minds of the people. The Court finally observed :

> The Rakkhi Bahini and the Armed Forces of the country along with the Police Forces are certainly three most important institutions of the country which function as part of the State machinery The respective shares of activities must be clearly demarcated and the mutual relationship of these bodies must be in accordance with the law of the country The Jatiya Rakkhi Bahini can come to the assistance of the Army for the defence of the country as well as in aid of the police for the purpose of maintenance of law and order in the country The services of the Armed Forces may also be called in aid of by the civil authority and in accordance with the law of the country Those bodies shall have to function according to the direction of the civil authority consistently with the rights of the people as secured under the Constitution and the general law as may be applicable to such a case [86]

In this way, the Supreme Court of Bangladesh in deciding a number of cases took a valiant stand and tried to establish the rule of law as contemplated within the framework of the Constitution. This sort of rulings was a great shock on the part of the executive authority which was determined to curtail the powers and jurisdication of the Supreme Court in particular and judiciary in general as guaranteed by the Constitution of Bangladesh.

B *Independence of Judiciary under the Fourth Amendment*

Towards the end of 1974, the Government was seriously thinking to change the existing system of the government. As a step towards this direction the President on the 28th December, 1974, issued a Proclamation of Emergency[87] and promulgated an Order suspending the enforcement of fundamental rights[88] and issued the Emergency Powers Ordinace, 1974 (Ordinance XXVII of 1974).[89] The declaration of emergency

created an atmosphere congenial to introduce a change of fundamental nature into the system of government. On the 25th January, 1975, the Constitution (Fourth Amendment) Act was passed at a speed "unprecedented in the history of law-making."[90] This Act introducing Presidential system of government *inter alia* curtailed the jurisdiction of the court to a great extent On the question of removal of judges the provision for impeachment was deleted and the same power was assumed by the President who could remove a judge including the Chief Justice simply by an order on the ground of misbehaviour or incapacity.[91] With regard to the appointment of additional judges for the Supreme Court, the President could make the appointment now without any consultation with the Chief Justice. In matters of appointment to the subordinate courts the authority of the Supreme Court was withdrawn. The Amendment provided · "Appointment of persons to offices in the judicial service or as Magistrate exercising judicial functions shall be made by the President in accordance with the rules made by him in that behalf."[92] The power and authority given to the Supreme Court in the original Constitution for the control and discipline of the subordinate courts including the power of posting, promotion and grant of leave including those of the magistrates exercising judicial function, were now vested in the President instead of the Supreme Court.[93] The jurisdiction of the Supreme Court for the enforcement of fundamental rights was withdrawn [94] Moreover, the Amendment deprived the Supreme Court of one of its inherent powers of granting interim orders [95]

The High Court Division's power of superintendence and control over all tribunals subordinate to it was withdrawn keeping such power intact only over the subordinate courts [96] In this way, the long established tradition of Independence of Judiciary was curtailed and made it a subordinate branch of the executive. One positive aspect of this amendment was that it ensured that all persons employed in the judicial service and all magistrates "shall be independent in the exercise of their judicial function "[97]

The Supreme Court of Bangladesh gave the judicial recognition of the Fourth Amendment of the Constitution. The Supreme Court in the case of *Haji Joynal Abedin v. The State* clearly declared : "The guarantee that was given in Article 44 for the enforcement of the fundamental rights mentioned in Part III by the machinery provided under Article 102 was taken away by the Fourth Amendment "[98] In another case of *Lutfor Rahman v. Election Commissioner* the Supreme Court without questioning

the legality of the promulgation of the Act moderately raised the question in respect of making of an interim order S. M. Husain J. in that case held

> By the prohibition imposed under sub-article (2) of Article 102 of the Constitution as per Fourth Amendment against making any interim order, we, however, cannot contemplate that this has in any way impaired or abridged the substantive power of the Court under sub-article (1) to make an order The power of the court to make an order included such consequential powers to make incidental order in aid of making any final order , It cannot be presumed at any stage that the legislature intended to vest the Court with power to make any final order which may ultimately become infructuous and futile exercise in vain [99]

Only in this above mentioned case the Supreme Court of Bangladesh showed some courage and raised the question as to the prohibition imposed on Article 102 of the Constitution as amended by the Fourth Amendment. This sort of silence preserved by the Supreme Court of Bangladesh strikes the minds of those who are concerned with the rule of law and independence of judiciary

C *Judiciary under the Martial Law*

During the continuance of Emergency on the 15th August, 1975, in a military *CPM* President Sheikh Mujibur Rahman along with other members of his family were assassinated. The country came under the martial law and the Constitution of 1972 would, subject to the martial law proclamations, Regulation and Orders, continue to remain in force.[100] During this situation the Supreme Court was in a precarious position. The emergency had been continuing. Special Power Act, 1974, had already been promulgated and martial law had been declared throughout the country

The role the Supreme Court played had a mixed reaction in the society. As for instance, in interpreting emergency rules the Supreme Court played a praiseworthy role. In a number of cases the Supreme Court tried to protect the liberty of people declaring detention orders invalid Thus, in interpreting Article 102 of the Constitution of Bangladesh, Kamaluddin Hossain J., as he then was, in the case of *Abdul Latif Mirza v. Government of Bangladesh* observed that the High Court was to be satisfied that the person in detention was not so held either "without lawful authority" or "in an unlawful manner" were to be interpreted keeping in view that the satisfaction is that of a judicial authority [101] This satisfaction is what is called objective satisfaction

which was enunciated by the Supreme Court of Pakistan in all the important cases of *Malik Ghulam Jilani*[102], *Mir Abdul Baqui Baluch*[103] and *Begum Agha Abdul Karim Shorish Kashmiri*[104] and which was a clear departure from the subjective satisfaction as enunciated by the House of Lords in the case of *Liverside v. Anderson.*[105]

The reverse situation is found in the case of *Mrs Halima Khatun v. Bangladesh and Others* in which the Supreme Court recognized Martial Law as the supreme law of the land and held :

> In consequence of these express provisions it would be merely knocking one's head against a stone wall if one makes an attempt to get redress in a court of law which, previous to this regulation, might have granted relief if one could show that one's property did not come within the purview of the Abandoned Property [(Control, management and Disposal)] Order [1972] [106]

However contrast is the judgement delivered in *Mirza Abdul Latif's* case and *Halima Khatun's* case, certainly in the decision in *Halima Khatun's* case the dignity of the highest judiciary has not been duly maintained and preserved.

The martial law was withdrawn on the 9th April, 1979 and civil government continued upto 24th March, 1982, when another martial law was declared. The consequence of martial law was that the Constitution of 1972 stood suspended and all proceedings arising out of, and in connection with, writ petitions under Article 102 of the Constitution had abated. Although all existing courts including the Supreme Court were allowed to function, but their powers and jurisdictions were subject to the Martial Law Proclamation, Martial Law regulations and Martial Law Orders.[107] The Appellate Division of the Supreme Court in the case of *Bangladesh and Another* v. *Md. Salimullah and Others*[108] taking into account the political reality and the precarious conditions existing during the continuance of Martial Law gave judicial recognition of the Martial Law regime proclaimed on the 24th March, 1982.

It may be mentioned that during the continuance of Martial Law the powers of the High Court Division to issue orders and directions as contained in Article 102 of the Constitution were partially and conditionally revived through the promulgation of the Constitution (Partial Revival) (Second) Order, 1985 (Order I of 1985).[109] [By this Order the fundamental rights relating to non-discrimination on grounds of religion, equality of opportunity in public employment, abolition of titles, honours and decorations, prohibition of forced labours, freedom of profession or occupation, freedom of religion stood revived]

D *Eighth Amendment Case and Independence of Judiciary*

The Martial Law was withdrawn on the 10th November, 1986, and the controversy as to the fragmentation of the High Court Division took a new shape. The Chief Martial Law Administrator set up several permanent Benches of the High Court Division and the judges were transferred to the six permanent Benches. By the Proclamation Order No. III these permanent Benches were designated as Circuit Benches. When the Constitution was revived, the Proclamation Order was no longer valid. Then by notification of the Chief Justice these six Benches become the places where the sessions of the High Court Division may be held By other six notifications the jurisdiction to be exercised by each session and the areas covered by it were specified.

The constitutional validity of these notifications created unrest among the legal and political circles. In order to consolidate the position the Constitution (Eighth Amendment) Act, 1988 (Act XXX of 1988)[110], was passed by which original Article 100 was substituted and six permanent Benches were set up in the same places where circuit Benches and sessions had been held earlier. On the 9th June, 1988, the President issued notifications assigning areas of the six permanent Benches and on the same date the Chief Justice issued modifications relating to the permanent Benches. The constitutional amendment and the notifications intensified the unrest and was ultimately challenged before the High Court Division as *ultra vires*. The High Court Division summarily dismissed the petition. Appeal was preferred before the Appellate Division.[111]

The Appellate Division by a majority of three to one struck down the impugned amendment of Article 100 and the notification. The impugned amendment violated the basic structure of the Constitution, hence it was illegal.

In this way, the Supreme Court restored its dignity and preserved its independence. It played a historic role as the Supreme Court of the United States of America had played in the famous case of *Marbury v. Madison* in which power of judicial review was enunciated by the Court within the framework of the Constitution, or the Supreme Court of India in the case of *Kesavananda Bharti v. State of Kerala*[112] in which doctrine of basic structure was enunciated according to which parliament cannot change or destroy the basic structure of the Constitution.

It may be mentioned that in February, 1991 parliamentary election was held and in September, 1991 the Constitution (Twelfth Amendment) Act, 1991 (Act XXII of 1991)[113], was passed according to which the basic structure of the Constitution was changed and parliamentary system has been re-introduced. Within the framework of new constitutional set-up the Independence of Judiciary has been guaranteed. It may be also mentioned that the President is the titular head of the State who under Article 48 (3) has the power to appoint the Prime Minister and the Chief Justice without the advice of anybody, but in all other matters he is to act in accordance with the advice of Prime Minister who is the Chief Executive of the Republic. Therefore, it may be safely stated that the President being advised by the Prime Minister appoints other judges of the Supreme Court in consultation with the Chief Justice.

From the above discussion it is clear that the judiciary could not play its due role due to the constitutional crisis created by the ruling authority In several occasions powers and jurisdiction of the judiciary were curtailed by the executive authority and the judiciary has to work within limited jurisdiction and specified spheres This has created mixed reaction among the people both at home and abroad.

6. Summary and Conclusion

This discussion and analysis relating to Independence of Judiciary in the contexts of the third world in general and Bangladesh in particular reveals the fact that the judiciary in any volatile society like Bangladesh has no independence in the real sense of the term. Suspension of the provisions of the Constitution and suspension and abrogation of the Constitution due to proclamation of emergency or martial law happen therein occasionally the direct impact of which is that the judiciary comes under the executive authority and serves as a subordinate branch of the government. In such a situation the judiciary as it is revealed from the decision in *Mrs. Halima Khatun's case*, has to interpret laws subject to the conditions imposed by the executive authority. Interest of the public becomes secondary consideration and civil liberties of the citizens are not upheld properly As a consequence tyrannical rules as opposed to rule of law prevails therein.

In order to overcome this situation, the international community should come forward and take steps to safeguard the Independence of Judiciary in the third world The national instruments and documents

should also be re-designed in such a way so that no interference can be made in the Independence of the Judiciary from any quarter. In particular the following steps are recommended to be adopted for the ensurance of Independence of Judiciary :

1. The United Nations should adopt a convention on the Independence of Judiciary which will be compulsorily ratified by the member-States of the UN. In the proposed convention there must be a system of international supervision as to the standards of Independence of Judiciary to be maintained in any country. This supervision should be undertaken by the eminent judges, lawyers and jurists of the world.

2 Following the UN standard the judiciary should be redesigned with a view to upholding its independence In order to do that the State Constitution must be amended in which there must be guarantee that the judiciary must not be interferred in any circumstances. The judiciary, like the judiciary of the United States of America, as for instance, shall be the guardian of the Constitution and protects it even when the martial law is proclaimed by the military authority. There must be a constitutional provision that the judiciary shall not give recognition to the martial law authority. The judiciary of Ghana may be cited in order to suport this view.

3. The State Constitution following the international norms must contain rules relating to fair selection, training, tenure, promotion, retirement, remuneration of the judges of higher and sub-ordinate judiciary.

4. The judiciary, higher and sub-ordinate, must be completely independent from the executive and the legislature. The subordinate judiciary including criminal magistracy must be supervised and controlled by the higher judiciary.

5. There must not be undue pressure on the judiciary from any professional groups, such as political party, press media, general public, army etc in the discharge of its judicial function.

6. The judicial accountability must be ensured by the Constitution so that any judge or any judiciary may not perform his or its functions and discharge his or its duties discriminately and arbitrarily. That means there must be a supervision system at the State level

If all these steps are properly adopted, if there is honest intention of the government as well as its peoples as to ensurance of Independence of Judiciary, the judiciary certainly will be an independent institution and will act as the interpreter of the laws of the land in order to ensure justice under the law, as the upholder of civil liberties of the citizens of the State as guaranteed by the national Constitution and as the custodian and guardian of the national Constitution under which it has been established

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J, Asiat. Soc. Bangladesh, Hum. Vol. 39 No. 2, December 1994

REVIEWS OF BOOK

Nariaki Nakazato, *Agrarian System in Eastern Bengal*, c. 1870—1910, (K. P. Bagchi, Calcutta 1994), pp. 333, price Rs. 3000.00.

It is from 1760, the year of the English East India Company's taking over the districts of Chittagong, Burdwan and Midnapur from the Mughal government as ceded territories, that serious discussions and discourses on land systems of Bengal began and the practice, both on administrative and academic planes, had continued down to the end of the Permanent Settlement in 1950. Such an interest may be explained by the fact that land constituted the major source of income both for the state as well as for the people. Until the end of the nineteenth century land was the sector in which most of the people were employed. Though land was losing its traditional status with the rise of the modern economy, its significance was never lost because the newly introduced electoral system made it necessary for political parties to keep themselves concerned with the problems of the landed society and the enfranchised peasantry. Therefore, land continued to be the centre of discussion among administrators, reformers and intellectuals. Nariaki Nakazato's *Agrarian System in Eastern Bengal* 1870-1910 is one of the latest addition to the ever growing agrarian literature.

One comfortable aspect of agrarian research is the abundance of materials for colonial period which is lacking in any other branch of Bengal history. The Parliamentary and other official documents from the *Amini Commission Report of 1776* to the *Floud Commission Report* of 1938-40, themselves make tons of papers. Much larger in volumes are the district records, Board of Revenue records, judicial (revenue) records, minutes, dispatches, surveys, settlement records, tracts, pamphlets and so on. Nakazato's work is based on all these sources.

For investigation the author has chosen the period from c. 1870 to 1910. The 1870s, as a starting time, is convenient indeed; because this was the period when agrarian unrest reached its height and when the government was compelled to consider the revision of the legal structure

of the Permanent Settlement in the form as subsequently embodied in the **Bengal Tenancy Act of 1885.** But the terminal date, 1910, seems to be arbitrary. From agrarian point of view the suitable date could have been 1928 when B. T. Act was significantly amended, or 1930-32 when peasant economy crashed, or 1938, when zamindari powers and privileges were curbed and peasant rights in land were established, or 1950 when the zamindari system was abolished. But tenurially nothing significant had happened in and around 1910. However, politically the heyday of the imperial system reached its zenith at that time and since then colonial institutions including the Permanent Settlement system began to erode.

The contents of the book have been laid out in sixteen sections. The sections have been discussed under three parts Th first part entitled **Land Market and Landlordism** consists of seven sections, such as, I Research Trends, II. Source Materials, III. General View of the Land Market, IV. The Landlords' Land Market, V. The Peasants' Land Market , VI. Consequences of the Transfer of Occupancy Holdings, VII. Competition Rent and Government. Part two entitled *Operation of the Zamindari System* consists of eight sections such as, VIII. Problems and Scope, IX. Kanakshar Estate of Faridpur, X. Social Character, XI Landed Property, XII. Management System, XIII. Indirect Coercion, XIV. Rent, XV. Raiyat. The concluding remarks have been made in part three which is also appended by a note on the Court of Wards' Records.

Instead of dealing with all regions of Eastern Bengal the author has chosen only the contemporary Dhaka division (Districts of Dhaka, Mymensingh, Faridpur and Bakarganj) for study Such a selection is not without a purpose. It is commonly held by scholars that Bengal had several 'types' of regions from agrarian point of view, such as, West and Central Bengal, East Bengal, and the frontier regions of North and South Bengal. Within a broad type there were, again, sub-types. In East Bengal Sylhet, Chittagong, Rajshahi-Rangpur and haor region are markedly different from each from tenurial point of view and collectively different from region under discussion Thus selecting Dhaka division as a type for investigation seems to be justified. Of course, in that case the title of the book looses pertinence.

Dr Nakazato has initially enumerated the current trends in agrarian research and identified the dominant views. His investigations led him to challenge some of these views. He is inclined to believe that differentiation process, which was very sharp in Western Bengal in the nineteenth

century, was not so slow in Eastern Bengal as is assumed by many. Challenging Sugata Bose's statement about the dominance of small farming in Eastern Bengal the author argues that such a state was not a pre-existing affair. It was rather the result of changes caused by new conditions, particularly the jute economy and population growth. He has made an attempt to throw some new light on the changes wrought by land transfer in the structure of landlordism of the Dhaka division in the late nineteenth and early twentieth centuries by making a systematic study of the available records, particularly the statistics compiled by the Registration Department. But while using the registration records for measuring land transfer a proper warning should have been given to readers that rural people at that time was not much in the habit of registering the transactions of landed property. Oral contract was extremely common. Thus data that we get from the registration records is very illusory, indeed.

Taking land transfer at landlord and peasant levels as the main tool Nakazato has successfully shown how the rural society including its ruling part had undergone transformation and how a multi-tiered tenurial class had emerged in-between the zamindars and raiyats and how another big class of under-raiyat (*bargadars)* had emerged, all indicating social differentiations. This is a new thesis which has rather convincingly challenged the ruling view that differentiations were marked in Western Bengal and not so much in Eastern Bengal. But we have reservations about the author's argument that a new type of landlordism based on competition rent was formed at the lower levels of the zamindari system. That class, according to him, bagged huge profits out of *barga* tenure. To lend land in *barga* the landlords must annihilate the pre-existing raiyati relations first. But it seems such a development never took place. The *barga* tenure was extensively resorted to by the rich raiyats who, as a category of peasant, emerged since the mid-nineteenth century They were aspiring to become landlords by themselves but could not become so until the abolition of the zamindari system in 1950.

The author has dealt with the mode of estate management in order to strengthen his thesis that in spite of many structural changes the landed society was dynamic enough to sustain pressure on the continuation of its existence. He has found the landed estates in Dhaka division more compact in composition than other parts of Bengal. The Dhaka zamindars were found to have maintained by and large direct contact

with the *raiyats*. This argument runs counter to the author's previous statement of the proliferation of intermediate tenures. Among the Dhaka division districts Bakarganj and Khulna were well-known for *Madhyasvatva* or chain of intermediate tenures, whereas Dhaka, Faridpur and Mymensingh districts were relatively free from the problem. Therefore, the zamindar's direct contact theory cannot hold good at least for southern region of Dhaka division.

Dr. Nakazato is not inclined to accept the thesis of non-viability of zamindari system under the changed circumstances of the late nineteenth and early twentieth centuries His argument is that the zamindar-raiyat relationship was not confined to mere collection and payment of rent, but extended over vast domains of economic, social and religious life. "The zamindari system", as he remarks, "was supported and reinforced by religious festivals, control of marketing and communication systems, and so forth.... it was not such a simple and frail system that became non-viable simply because of the lowering of the pitch of rent." (p. 297). It has been strongly argued by the author that the class interests of the zamindars and *jotedars* were more or less identical and they maintained wide sphere of cooperation between themselves. This is very true when they, as landholders, confronted the general raiyats on the issues of rent-rate, *abwabs*, rights in land, etc. But the *jotedars* were also in rental relations with the zamindars on another plane and obviously they had reasons to differ with the landowning class on many issues. Preserving the zamindar class was an imperial interest. The rich peasants could not but want its earliest abolition. In fact, the movement for abolishing zamindari system in the 1930's and '40s were led by the *jotedar* class.

However, these are our very minor disagreements with the author.

Althroughout the book Dr. Nakazato has shown his intellectual rigour. The questions raised and discussed by him have enriched our understanding of the rural society of Eastern Bengal. His treatment of rent and raiyat is highly authoritative and revealing. By writing this book, I should say, Dr. Nakazato has made a remarkable contribution to the agrarian literature of Bengal and for this painstaking study he deserves our heartiest congratulations.

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